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# THE INDIAN ANNUAL REGISTER

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Recording the Nation's Activities each year in matters Political,  
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Edited by

**H.N. MITRA** M.A.B.L

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by

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July-December 1927

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# Chronicle of Events

July 1927.

- 1 July '27 Nagpur Congress Committee suspended Arms Act Satyagraha in view of Mahatma Gandhi's opinion that an armed Satyagraha cannot break the Arms Act.  
Continuation of the debate on the India Office Estimates in the Commons—Earl Winterton on Reforms.  
Flow to textile industry in view of India Government's decision against protection—Mills closed in Bombay.
- 2 July do. The Non-Brahmin Confederation at Coimbatore commenced its Session under the presidency of Dewan Bahadur Kumarawami Reddiar—Passed resolution on the second day allowing such non-Brahmins to join the Congress as desired to do so.
- 3 July do. All-India Khadi Exhibition opened by Mahatma Gandhi at Bangalore—The Mahatma's effort to create khadi atmosphere in Mysor State.  
Serious communal riots in villages in Nadia District, Bengal arising out of cow-killing as a sequel to preaching by a moulati.
- 5 July do. Punjab Moslem League passed resolution condemning the Judgment of Mr Justice Dalip Singh in the 'Bangla Rasi' Case which provided complete immunity to scurrilous writers attacking revered founders of religion—Promulgation of new law urged.
- 6 July do. Tense situation in Lahore following "Bangla Rasi" and "Rinla Vartman" Cases—prominent Khilafatists arrested for disobeying magisterial order prohibiting meetings.  
Gambling under official auspices to raise funds for the Burma University severely condemned and criticised in the Burma Council.
- 7 July do. Burma Council—Motion for abolition of the Capitation and Thatamede taxes lost.
- 8 July do. Punjab Governor refused to receive a Muslim deputation whose representation had a close reference to the attacks made on the High Court Judges.  
Burma Council—Non-Official resolution for combating corruption in Judiciary carried.
- 9 July do. Revd. Ottama's manifesto condemning the British policy of the separation of Burma from India and appealing to the people of India not to give countenance to such movement.  
Labour unrest and strike in Southern India—prompt intervention and settlement urged in a Madras Labour meeting.
- 10 July do. Death in London of Sir Lala Gungaram, a member of the Agricultural Commission and a great philanthropist of the Punjab.
- 11 July do. Maulana Mahomed Ali in a series of articles deprecated the muslim agitation demanding Mr. Justice Dalip Singh's resignation.  
Rescue of Minor Girls—Non-party meeting in Calcutta presided over by Governor—Mayor's appeal for funds for the provision and endowment of home for the rescued minor girls—Mayor advocates public whipping for miscreants.  
Serious communal riot in Multan originating in the murder of 2 Moslems while a Moharram procession was proceeding—Curfew order issued and military pickets posted—Casualties were muslims 5 killed, 6 injured; Hindus 6 killed and 11 injured and 1 Sikh killed—Elsewhere Moharram passed off peacefully.
- 12 July do. Muslim deputation to the Viceroy in connection with the rejection of the Tariff Board's recommendations by the Government of India.

- 14 July '27 Official communique from Simla announced the appointment of a special commission of enquiry by His Majesty's Government to enquire into the position of Indians in Kenya and East Africa.  
Big public meeting in Madras on the Dombatore resolution of the Non-Brahmin Confederation and the attitude of the Justice in entering the Congress and passing resolution of non-acceptance of office.
- 15 July do. Punjab Khilafat Committee in a meeting passed indignant resolution against the Rangila Rasul Judgment and demanded removal of Justice Dalip Singh—Resolutions were also passed in moslem meetings at Delhi, Bombay and Rangoon to the same effect.
- 16 July do. The Y. M. C. A. and Politics—The enquiry into the allegations of the European Association began in Calcutta before Mr. Justice Pearson and Mr. E. L. Miller.
- 17 July do. Chingleput District Conference, held at Madurantakam presided over by Mr. O. K. Chetti.
- 18 July do. Big public meeting at Poona under Mr. J. S. Karandikar to open an intensive Swadeshi and Boycott campaign in Maharashtra.
- 19 July do. Joint Select Committee meeting on the Reserve Bank Bill resumed its sitting in Calcutta—the popular party's scheme on the constitution of the directorate of the Bank won in the Committee by a majority of one vote.  
Bengal Borstal Schools Bill published in Calcutta—object of the bill is to empower certain classes of magistrates to detain adolescent offenders in such schools instead of sentencing them in the ordinary way to imprisonment.  
Punjab Congress—motion for the release of political prisoners rejected.  
Memorial submitted by influential moslem leaders to the Bengal Governor praying for an open enquiry into the Kalkati incident.
- 22 July do. Punjab Congress members, representing Sikh, Hindu and Moslem communities issued manifesto condemning the riots, assaults and murders prevailing in the province.
- 23 July do. The Wireless Seam station opened at Bombay by H. E. the Viceroy.  
Fifth Railway Passengers' Conference held at Madras under Dr. U. Rama Rao.  
Punjab Muslim Council Members under Hon. Malik Feroz Khan Noon issued manifesto thoroughly disapproving the joint electorate scheme.
- 24 July do. Continuous downpour of torrential rain unprecedented within living memory commenced from this day and continued for a week in Ahmedabad causing dislocation in Railway traffic and havoc in adjoining villages—Several thousand houses collapsed rendering 40 thousand homeless.
- 26 July do. First Session of the Madras Provincial Labour Conference under the auspices of the Trade Union movement with the object of reviving the provincial committees held at Madras presided over by Mr. N. M. Joshi.
- 27 July do. Bombay Council—The Bombay University Bill passed the first reading and referred to a select committee.  
Inauguration of an All-India campaign for a Bombay meeting under Mrs. Naidu with the slogan "Respect all religious prophets".
- 28 July do. Police raid in newspaper offices in Calcutta and Bombay—literatures on China and Communism seized.

## August, 1927.

- 1 Aug. '27 Swarth Death Anniversary of Lokmanya Tilak celebrated throughout—Nation's reverential homage to the High Priest of Nationalism.
- 2 Aug. do. Serious Hindu-Moslem riot at Bettiah in Bihar arising over a Hindu Sabha procession resulting in eight casualties (7 Moslems and 1 Hindu) and in several persons being injured.  
Nagpur Congress Committee rejected the Satyagrah Campaign from this day—As a result 40 Volunteers with guns and spears were out in procession.

AUGUST '37

# CHRONICLE OF EVENTS

11

- 3 Aug. '37 Mr Satyendra Chandra Mitra arrested under Regulation III of 1924 released unconditionally from Mandai Jail.
- 4 Aug. '37 Mr. Satyendra as President of Thangalvi District Conference urged Congress Unity as the need of the hour and denounced Communal Swaraj worse than dry rot.
- 5 Aug. do Hooley District Conference under the presidency of Mr. T. C. Goswami—President's masterly analysis of the present political situation in the country.
- 5 Aug. do Public Meeting at Bombay under Sir F. Thakurdas condemned the Government's dilatory attitude and urged it to give immediate effect to the recommendations of the Skares Committee.
- 6 Aug. do A denunciation of the Non-Brahmin members of the Bombay Council waited upon the Governor at Poona and urged the immediate representation of the community in the Services.
- 6 Aug. do "Bijala Varman" Case—Judgment pronounced on this day by the Lahore High Court condemning both the accused to rigorous imprisonment.
- 8 Aug. do The C. P. and Berar Provincial Hindu Sabha Conference held at Nagpur under Sir Bankaram Nair planned for inter-caste fusion and suggested Joint Electorate.
- 8 Aug. do Executive Meeting of the Hindu Mahasabha after four days' deliberations within closed doors passed resolutions condemning the publication of communal literatures.
- 8 Aug. do Calcutta's Hono-Washup in the second death anniversary meeting of Sir Surendra Nath Banerjee under Sir C. Q. Ghose.
- 8 Aug. do Annual Meeting of the Shareholders of the Imperial Bank of India in Calcutta to consider their position with reference to the creation of a Reserve Bank for India.
- 9 Aug. do The Silver Jubilee of the reign of H. H. the Maharaja of Mysore celebrated with unbounded loyalty and devotion by his subjects all over the State.
- 9 Aug. do London Indians' indignant protest against a book called "Mother India" written by one Miss Katherine Mayo, an American tourist which indulged in wholesale and indiscriminate vilification of Indian civilisation and Indian character—The book was held as propagandist work to discredit India in view of the forthcoming Statutory Commission.
- 10 Aug. do People's Party in the Burma Council issued manifesto urging enquiry into the Burma Reforms.
- 12 Aug. do Scurrilous attack on Indian womenhood by Mr. Pilsner in a news-article in the "Statesman" of Calcutta—Defamation charges brought against the Editor of the paper subsequently ended in the acquittal of the accused.
- 13 Aug. do Second Session of the All-India Press Employees' Conference held at Calcutta under the presidency of Hon. S. Mohd. Fadsa Sahib.
- 14 Aug. do Coimbatore District Non-Brahmin Conference held at Tiruppur under the presidency of Sir M. C. T. Muthiah Chettiar.
- 14 Aug. do Adjourned Meeting of the Bengal Muslim League Council held at Calcutta under Sir Abdur Rahim passed important resolutions.
- 15 Aug. do Vehement protest against the inhuman and brutal atrocities by frontier Muslim tribesmen over the Hindu inhabitants of the Frontier recorded in a crowded public meeting in Calcutta under Mr. B. C. Ray.
- 17 Aug. do Dr. Ansari's remarkable statement to the press, on the eve of his election to the presidency of the Congress, asserting the policy pursued by Congressmen in the Legislatures, and advocating direct action as was done in the Non-co-operation days.
- 17 Aug. do Commotions Mill Strike continued till Sat. when labour leaders were arrested.
- 17 Aug. do The Public Accounts Committee of the Legislative Assembly commenced its sitting in Simla.
- 7 Aug. do Opening of the C-1 Legislative Council—Governor in his address pleaded for Communal Unity.
- 18 Aug. do Opening of the Adjunct Session of the Third Legislative Assembly at Simla.
- 18 Aug. do Select Committee Report on the Gold Standard Reserve Bank Bill with the Minutes of Dissent presented to the Assembly by Sir Basil Blackett.



- 12 Aug. '27 Secretary of State announced the acceptance of the India Government's proposals regarding the Sh. Report.
- 13 Aug. do. Hindu-Muslim frictions ending in some casualties took place at Comilla while a Jannamastani procession was passing by a mosque.
- 21 Aug. do. Khilafat Conference in Calcutta presided over by Moul. Mahomed Ali Urged mutual toleration between Hindus and Muslims regarding religious matters and work for the liberation of the Motherland.
- 23 Aug. do. Arms Act Satyagraha in Nagpur leading to a clash with the police who were injured—18 men and 4 lady Satyagrahis arrested.
- 24 Aug. do. Opening of the Bengal Legislative Council in Calcutta—The Governor in his address reaffirmed the policy outlined in the Assembly by Sir A. Macdonald regarding the Bengal detenus.—During interpellations Ministers heckled on the question of the condition of Detenus.
- 24 Aug. do. The Bill to amend the Indian Penal Code and the Criminal Procedure Code to penalise insult to religion introduced in the Assembly.
- 25 Aug. do. The Bengal Council—The Swarajist motion of "No-confidence" in the Ministers carried—The Ministers resigned.
- 27 Aug. do. The Pearson-Mitter Enquiry Committee report into the allegations of the European Association regarding the political activities of the Y. M. C. A. published—The Committee found no evidence in support of the allegations.
- 28 Aug. do. Police raid in Howrah—Bomb-shells, explosives and revolvers seized—three persons arrested.
- 28 Aug. do. Bombay Non-Brahmin Conference passed conditional entry of Non-Brahmins in the Congress.
- 28 Aug. do. Unequivocal condemnation in all parts of India of the mean and vulgar Attack on Indian womanhood by Miss Mayo in her book "Mother India".
- 29 Aug. do. Serious communal riot in Bareilly—Heavy casualties—Prominent persons made special constables.
- 29 Aug. do. The Viceroy's Address to the Joint Session of the Council of State and the Legislative Assembly at Simla
- 29 Aug. do. Motion for consideration of the Reserve Bank Bill made by Sir E. Blackett in the Assembly.
- 30 Aug. do. Cotton Yarn BHI imposing duty on one and half annas per pound on imported yarn passed by the Select Committee at Simla.
- 30 Aug. do. Members of the Unity Conference at Simla issued Manifesto appealing to all communities to maintain calm atmosphere as a means to bring about lasting unity between all communities.
- 31 Aug. do. All-India Swadeshi and Industrial Exhibition opened at Poona by the Hon. Mr. Harilal Desai.

## September 1927.

- 1 Sept. '27 Debate on the Reserve Bank Bill adjourned in the Assembly.
- 3 Sept. do. Bihar Council—No-confidence resolution against Mr. G. D. Singh, Minister defeated by 17 votes.
- 4 Sept. do. Serious communal riot at Nagpur arising out of a muslim procession of 2000 people molesting a Hindu passerby—There were heavy casualties—Military paraded the streets.
- 4 Sept. do. Memorial public meeting held in Calcutta under Mr. J. M. Sen Gupta to protest against Miss Mayo's and Mr. Pilehar's attack on Indian womanhood calling them "Sluts at home and prostitutes abroad."
- 4 Sept. do. At a general meeting of the Reception Committee of the ensuing Indian National Congress held at Madras Dr. Ambedkar was elected President by a large majority.
- 5 Sept. do. Communal disturbance at Nagpur arising out of a Muslim procession celebrating the death of a Muslim killed in the communal troubles of 1924 coming into conflict with Hindus—22 died, over 100 injured.

- 7 Sept. '27 The Unity Conference meeting at Simla appointed Committee to prepare agenda for the Conference.  
The Neill Statue Satyagraha in Madras—Volunteers after conversation with Mahatma Gandhi decided to continue the struggle in a non-violent spirit. Representative Deputation under Sir P. Thakurdas waited on the Viceroy in connection with the East African situation.
- 8 Sept. do. Sir Basil Blackett's surprising announcement in the Assembly postponing the Reserve Bank Bill owing to the failure of agreement on the question of directorate—Congress Party members walked out in protest.  
Inaugural meeting of the Aero Club of India held at Simla under the presidency of Sir Victor Sassoon.
- 9 Sept. do. Mr. C. B. Das's portrait unveiled in the Madras Mahajan Sabha by Mahatma Gandhi—the Mahatma in paying tribute discoursed on politics and spirituality.  
The Y. M. O. A. & Politics—In view of the Pearson-Mitter Committee Report the Council of the European Association in a meeting in Calcutta did not consider that there was sufficient reason for calling a meeting of the Association to modify or rescind its resolution of the 18th February.
- 10 Sept. do. Lala Lajpat Rai's forceful appeal in an Untouchability Conference held in Simla to cast away the horrible practice.  
Communal Riot in Sholapur—5 killed, 100 injured.
- 11 Sept. do. Hindu-Muslim fracas at Ahmedabad arising out of a party of moslems coming in conflict with song and religious discourse in a temple adjoining a mosque during prayer time.
- 12 Sept. do. The Kharagpur Labour crisis—Declaration of lock-out by the B. N. Ry. authorities in their workshops—ten thousand men affected.
- 14 Sept. do. The Koran desecration Case of Sylhet—Assam Council passed resolution demanding dismissal of the police officer who committed the act.
- 15 Sept. do. Mahatma Gandhi in an article in "Young India" characterised Miss Mayo's Book "Mother India" as a "Drain Inspector's Report".
- 16 Sept. do. The Unity Committee at Simla held sittings till 22nd when it broke up owing to no conclusions having been reached on cow and music questions—divergent statements of the Secretaries and the Muslim Members issued subsequently.  
The Bill to penalise insult to religion passed in the Assembly.
- 17 Sept. do. A representative deputation waited on the Viceroy at Simla in connection with the Feetham Report which recommended drastic curtailment of Indian representation in Municipal Council in East Africa.
- 18 Sept. do. Big public meeting at Madras demanding the removal of the Neill Statue from public view and sympathising with the Satyagraha movement.
- 22 Sept. do. The Unity Conference at Simla broke up on its failure to arrive at a concordant on the question of cow-slaughter and music before mosque.
- 24 Sept. do. Ramnad District Conference held under the presidency of Mr. Satyamurti urged communal unity and abolition of separate electorates.
- 26 Sept. do. Muslim Members' statement issued on the failure of the Unity Conference at Simla.
- 28 Sept. do. Attack on the Bamilla procession by Kabuli Mahomedans at Dehra Dun—3 dead and 26 wounded—peace restored after curfew order issued by the District Magistrate.

## October 1927.

- 1 Oct. '27 Eleventh Session of the Nadars' Provincial Conference held at Kumbakonam under the presidency of B. K. Shanmugham Chettiar.
- 2 Oct. do. Owing to the tense communal feeling prevailing in Punjab mass meeting of Hindus, Muslims and Sikhs was held at Ambala under Mr. Manilal Kothari who appealed to all to settle down to the normal relations of peace and harmony and thus help attainment of Swaraj.

- 6 Oct. '27 Kharagpur labour strike continued—Government statement issued upholding the retrenchment policy of the Railway authorities. No-tax in Bardoli—the agriculturists at a meeting at Puni resolved not to pay the enhanced revenue assessment.
- 7 Oct. do. The Labour Conference at Blackpool passed resolutions advocating self-determination for India and urging release of Bengal Detenus.
- 10 Oct. do. Special session of the Kathiawar Political Conference held at Rajkot to protest against the customs cordon of the States.
- 25 Oct. do. Mammoth meetings held in Calcutta and Howrah to celebrate the Detenus' day.
- 26 Oct. do. The fourth anniversary of "Forward", the Swarajist organ founded by Deshbandhu Das, celebrated with great enthusiasm in Calcutta.
- 27 Oct. do. Representative gathering in the Unity Conference held in Calcutta on this and the next day—resolutions on religious conversions and music before mosques and the cow question accepted by both the communities.
- 28 Oct. do. Important session of the All-India Congress Committee held on this and the next two days—The Unity Conference resolution and the policy of the Madras Swarajists discussed—Dr. Das Gupta's resolution on religious conversion adopted. The U. P. Christian Conference held at Allahabad under the presidency of Mr. J. M. Dravid passed resolution among others condemning the communal electorates. Special session of the All-India Railwaymen's Conference held at Kharagpur under Mr. V. V. Giri who deplored the retrenchment in the railways and threatened general strike unless retrenchment is abandoned.
- 29 Oct. do. Second Day of the A. I. C. C. Session in Calcutta—Resolutions on cow and music and the Bengal Detenus passed. The U. P. Council—The Naik Girls' Protection Bill received a hearty welcome from all quarters of the house.
- 30 Oct. do. The National Council of Y. M. C. A. in a statement issued from Calcutta repudiated the accusation that the association were developing on political lines and re-affirmed its policy eschewing politics from its programme.
- 31 Oct. do. The interview of the Viceroy with prominent leaders invited by him commenced from this day at Delhi.

## November 1927.

- 1 Nov. '27 Police Raid in Calcutta and Dacca—A number of houses searched—revolutionary conspiracy suspected. U. P. Council—Resolution to remove Sex-disqualification for women in regard to Election and nomination to the Council adopted unanimously.
- 4 Nov. do. The All-India Aryan Congress held at Delhi under the presidency of Lala Hansraj. The U. P. Council—an interesting resolution, asking Government to accept the convention that in matters concerning transferred departments the official members should abstain from voting, defeated.
- 8 Nov. do. The Viceroy's announcement on the Reforms Commission announced in New Delhi—An all British personnel, the Central and Provincial Legislature to be consulting bodies.—All-India protest voiced against the exclusion of Indians from the personnel of the Commission. House of Lords passed the 1st reading of the Statutory Commission Bill Amending Section 84 of the Government of India Act.
- 10 Nov. do. Congress President issued statement appealing for the complete boycott of the Statutory Commission.
- 12 Nov. do. Andhra Provincial Conference held at Anantapur under Mr. D. Narayana Rao—Stirring Appeals made on resolutions on Neil Statue Satyagraha and Boyal Commission.
- 14 Nov. do. Abdul Raschid, the murderer of S. Shradhananda hanged at Delhi—huge muslim crowd carried the body in a riotous procession in which 45 Hindus were alleged to have been injured.

- 15 Nov. '37 House of Lords passed the Second Reading of the Indian Statutory Commission Bill.  
Labour Party in a Conference with Lord Birkenhead pressed for an assurance on the floor of Parliament of the fullest co-operation and consultation between the Statutory Commission and the Committee of Indian Legislatures.
- 16 Nov. do. Provincial Ministers' Conference held at New Delhi under Mr. James Ormer to consider questions in connection with the re-organisation of the Provincial Services on the Transferred side.  
All Party Conference in Bombay under Sir O. Setalvad protested against the exclusion of Indians from the Statutory Commission and urged its boycott—Similar protest meeting held in Calcutta under Sir Abdur Rahim.  
All-India Leaders' statement issued from Bombay urged boycott of the Commission unless a Commission on which the British and Indian statesmen will sit on equal terms is set up.
- 17 Nov. do. The House of Lords passed the Third Reading of the Indian Statutory Commission Bill.
- 19 Nov. do. Independent Labour party at a meeting in London passed resolution strongly protesting against the exclusion of Indians from the Commission.  
Monster Meeting in Bombay under Sir Dinshaw Petit urged boycott of the Commission—Similar meeting at Madras under Dr. U. Rama Rau called for the complete boycott of the Commission.
- 20 Nov. do. Pt. Motilal Nehru on behalf of the Congress asked Mr. Lansbury, the Labour Leader, to withdraw labour members from the Commission and desist from all efforts at compromise. "Nothing short of Full Responsible Government will satisfy the Congress."  
Panjab Muslim League's resolution disapproving the boycott of the Commission resented by the local Khilafat Committee.  
Maharashtra Prov. Congress Committee held at Pan under Mr. L. R. Bhopalkar urged boycott of the Commission among other resolutions.  
The Council of the All-India Muslim League held at Delhi decided to hold the next session at Lahore.
- 22 Nov. do. The Bihar Khilafat Conference, the U. P. Liberal Association and the Bombay Non-Brahmin Party, all passed resolutions favouring complete boycott of the Parliamentary Commission.  
Second Reading of the Reform Bill in the Commons passed—Mr. Saklatvala's rejection motion defeated.  
All Party meeting at Lucknow under Sir Tej Bahadur Sapru urged boycott of the Commission.
- 23 Nov. do. In the Committee Stage of the Statutory Commission Bill Mr. Saklatvala's Amendment providing that the Commission be not appointed until the Assembly approved the appointment negatived owing to Labour's obstructive tactics.  
The Statutory Commission Bill passed the Third Reading in the Commons and the Royal Assent given.
- 24 Nov. do. Personnel of the Indian Statutory Commission—Lord Birkenhead's statement in the Lords approved *Nem Con*—Labour not to withdraw Commissioners.  
Parliamentary Labour Party under Mr. Macdonald decided not to withdraw labour members from the Commission if equal powers were given to the Committee of the Indian Legislatures.  
Pt. Nehru's letter to all members of the Labour Party expressing surprise at the Labour official co-operation describing it as an "insult to India."
- 25 Nov. do. The European Association at its Annual Meeting in Calcutta opined that the Parliamentary Commission was likely to do more service to India than a mixed commission.  
Earl Winterton's statement carried in the Commons on the appointment of the Commission—Mr. Macdonald's apology for labour participation—Mr. Saklatvala's amendment to invite Pt. Motilal Nehru to the Bar of the House negatived.  
U. P. Political Conference held at Aligarh under the presidency of Mr. G. B. Pant.

- 26 Nov. '27 The All India Trade Union Congress held at Cawnpore under Dewan Chamanlal—Motion for Labour Enquiry Commission passed.
- 30 Nov. do. At a meeting of Moslems held at Cawnpore Mr. Haasat Mohani moved a resolution urging the settlement of the Moslem claim as a condition precedent to the Boycott of the Commission.  
Indian and European Chambers' joint representation to the Burma Government urging abolition of the Capitation Tax.

## December 1927.

- 1 Dec. '27 Boycott Committee inaugurated by Dr. Mrs. Besant—the Committee to keep boycott on right lines but to eschew civil disobedience and similar mass movements.
- 4 Dec. do. Women's meeting in Bombay under Mrs. Sarojini Naidu urged concerted boycott of the Commission.  
The British Section of the League against Imperialism disapproved labour participation in the Commission.
- 7 Dec. do. A manifesto issued by prominent Lahore Muslims stated that an equitable adjustment of intercommunal differences was an essential prerequisite of a common programme and urged muslims in particular not to boycott the commission, the doing of which will bring shame and sorrow to muslims.
- 8 Dec. do. The protracted strike in the B. N. Railway workshop at Kharagpur terminated—Workshops re-opened.
- 11 Dec. do. All Party meeting held at Allahabad under the presidency of Pt. Madan Mohan Malaviya to boycott the forthcoming Simon Commission.  
The Council of the All-India Muslim League held at Delhi decided to hold the next Session of the League in Calcutta.
- 13 Dec. do. Annual meeting of the Madras Chamber of Commerce held at Madras under the presidency of Mr. C. E. Wood.
- 16 Dec. do. Annual Conference of the European Association in Calcutta under Mr. C. B. Charters.
- 17 Dec. do. The States' Subjects' Conference held at Bombay under the presidency of Mr. M. Ramchandra Rao.
- 19 Dec. do. Annual meeting of the Associated Chambers of Commerce held in Calcutta under the presidency of Mr. Eddis.
- 25 Dec. do. Kenya Indian Congress held at Nairobi condemned the recommendations of the Feetham Commission as well as the administration of the Governor.
- 26 Dec. do. Opening of the Indian National Congress at Madras under the presidency of Dr. M. A. Ansari.
- 27 Dec. do. The All-India Liberal Federation opened at Bombay under the presidency of Sir Tej Bahadur Sapru.
- 28 Dec. do. Indian Industrial and Commercial Congress held at Madras under the presidency Sir Ibrahim Rahimtulla.
- 29 Dec. do. Death of Hakim Ajmal Khan, the well-known Physician and nationalist of Delhi—A. I. C. C. meeting held at Madras after the Congress session passed condolence resolution on the death of Hakim Ajmal Khan.
- 30 Dec. do. All-India Muslim League held at Calcutta under the presidency of Mr. Mohammed Yakub.  
The All-India Christian Conference held at Allahabad under the presidency of Mr. B. L. Ballie Ram.
- 31 Dec. do. Annual meeting of the Indian Chamber of Commerce held at Madras under Sir Dinshaw Petit—Annual Report for 1927 presented.  
Rival Session of the All-India Muslim League held at Lahore under the presidency of Sir Mian Mohammed Shaf.

# **India in Home Polity**

**July-December 1927.**



## REPORT OF THE All-India Congress Committee.

The following is the annual report for the year 1927 presented by the General Secretaries to the All-India Congress Committee and subsequently to the Madras Congress in December 1927.

"Article XXIII of the Congress Constitution requires the Secretaries to 'prepare the report of the work of the All-India Congress Committee during the year and submit it, with a full account of the funds which may come into their hands, to the All-India Congress Committee at a meeting to be held at the place and about the time of the session of the Congress for the year'. We have pleasure to submit this report accordingly.

"Since the last session of the Congress, there have been three meetings of the All-India Congress Committee including the one which was held at Gauhati immediately after the Congress concluded its proceedings. At this meeting the Committee, in compliance with the statutory provisions, elected members to the Working Committee and to the Election Disputes Panel.

"The next meeting was an important one and had a prolonged session at Bombay. The decisions made at this session covered a wide range of subjects—from the International Congress against Imperialism and Colonial Oppression and for National Independence to domestic matters like the Congress Party's conduct in the Councils—and included the despatch of a Medical Mission to China, the framing of a Swaraj Constitution and the solution of the vexed question of Hindu-Muslim differences. The Committee also placed on record its high appreciation of the meritorious services rendered by Pandit Jawaharlal Nehru who represented the Indian National Congress at the International Congress which was organised by the League against Imperialism, and who by his ardent patriotism and untiring energy secured for this country an elevated place in the Councils of the League.

"At the instance of Pandit Jawaharlal Nehru, the Committee resolved at the Bombay meeting to recommend to the Congress to give support to the League against Imperialism as an associate organisation.

"As regards the Swaraj Constitution, the Committee called upon the Working Committee to prepare a draft, based on a Declaration of Rights, in consultation with the elected members of the Central and Provincial Legislatures and other leaders of political parties. Accordingly, the office placed itself in communication with present and past members of Legislatures and other prominent persons, a few of whom have sent in some suggestions. Drafts are in course of preparation and will, in due course, come up for discussion.

"The Hindu-Muslim differences and the means that have to be devised to establish unity have continued to be the most absorbing subjects before the country and the Congress. Since the last Congress which met under the shadow of a national calamity owing to the brutal assassination of the great Swami Shradhdhananda of revered memory, the tension between the two great communities in the land has grown from bad to worse. Murders and murderous assaults had blackened the fair name of the motherland and



the need for a prompt solution of the problem was imperative. The Committee, therefore, addressed itself to the question in a spirit of justice, humanity and true patriotism. The political issues involved were dealt with at the Bombay meeting on the lines of the proposals contained in the report and resolutions of the Working Committee, and the All-India Congress Committee re-announced the principle of redistribution of Provinces on a linguistic basis and recommended, as an initial step, the application of the principle to Andhra, Sind and Karnatak. The system of communal representation was definitely discarded and, instead, joint electorates were substituted, due provision being made for the protection of minorities by way of reservation of seats.

"At this meeting, as has been mentioned above, the conduct of the Congress Party in the Madras Legislative Council was also discussed and was referred to the Working Committee which was authorized to call for an explanation from the Party and submit the same for consideration at the next meeting of the All-India Congress Committee. The resolutions adopted by the Working Committee which met in Bombay immediately after the All-India Congress Committee, on this particular matter and on the general policy to be pursued by Congress Parties in the Legislative Councils, led to a difference of opinion among Congressmen as a result of which a requisition signed by over 30 members of the All-India Congress Committee calling for a special meeting of the Committee at Calcutta not later than the 15th of July was addressed to the President. For various reasons, including the inconvenience felt by Congressmen engaged in municipal elections in Madras, the sitting of the Madras Legislative Council and the illness of the President, the meeting had to be postponed from time to time and could only be held at Calcutta on the 28th of October.

"At this meeting, the other points of dispute involved in the Hindu-Muslim tension, namely social and religious, were taken up for consideration. And a working compromise was reached, owing to the co-operation of leaders of both the communities from different parts of the country. Prior to the meeting of the All-India Congress Committee, a Unity Conference had been convened by the President at Calcutta on the 26th October. The Conference sat for long hours on the 26th and on the following day and after full and frank discussion, was able to arrive at compromise formulae which were subsequently adopted with suitable alterations by the All-India Congress Committee. It must be mentioned here that some of the leaders were obliged to be absent from the Conference and from the All-India Congress Committee. It should also be admitted that the compromise resolutions passed at Calcutta have met with adverse criticism in some quarters. Nevertheless, it may be hoped that the terms of agreement will provide the basis on which a "via media" between conflicting points of view can be laid down which will help to restore that peace and good-will between the two great communities of this ancient land, which is so essential for the early establishment of Swaraj.

"Thus the solution of the outstanding political, social and religious problems connected with the Hindu-Muslim differences was sought to be arrived at at the Bombay and Calcutta meetings in a spirit of give and take. Some of the decisions might not be final and may require fuller examination and final decision by the Congress; in fact, the All-India Congress Committee itself which arrived at these decisions resolved to bring up some of them

before this meeting of the All-India Congress Committee and the Congress' and we have no doubt that any alterations that will be found necessary to improve upon the terms of compromise and render them more acceptable to all parties concerned will be made at the coming session.

"The Bombay meeting of the All-India Congress Committee, as has been stated above, resolved to show its sympathy in a practical way with the people of China who were struggling for freedom, and called upon the All-India Board of the Hindustani Seva Dal to take all necessary steps in connection with the despatch of an Ambulance Corps to that country. But the British bureaucracy in India would not permit even this humanitarian work to be undertaken by or on behalf of the Congress, and it employed all manner of dilatory tactics in dealing with the Dal President Mr. Goswami's communications on the subject. The Congress and the Dal have thus been prevented from doing their little service to a sister nation who, like ours, is fighting for her freedom.

"Another subject of importance which was dealt with by the All-India Congress Committee at Bombay was the boycott of British goods, intended as a measure of practical protest against the continued incarceration of Bengal Detenus. We are sorry to say that not much headway has been made in this direction. It will be remembered that in pursuance of the resolution of the Special Session of the Congress held in Delhi in 1923, a report was submitted by the Sub-Committee to the Congress at Coochabed, giving a list of the articles that could easily be boycotted immediately.

"There has been also another movement set on foot to compel the Government to deal justly with the hundreds of patriots whose liberties have been trampled under foot under the lawless law of the Bengal Criminal Law Amendment Act 1925, and under Regulation III of 1818, namely the Nagpur Satyagraha. It is worthy of note that this movement as well as other movements like the Madras Arms Act and the Madras Neill Statue Satyagraha have been singularly marked by perfect non-violence.

"The All-India Congress Committee, while in session at Bombay, received the glad tidings of the release of Syt. Subhas Chandra Bose and rejoiced at his restoration to liberty, to take his place again in the fight for the nation's freedom. But there are still a great many more of patriots rotting behind the prison walls and otherwise deprived of their liberties. The Committee, therefore, appointed a Sub-Committee at Calcutta to devise means for expediting the release of the detenus with Syt. Satyendra Chandra Mitra, another patriot who had suffered imprisonment, as convener of the Sub-Committee. The report of the Sub-Committee will come up before this meeting and it is hoped that the Committee will address itself to this all important question and resolve upon such a plan of action as will wrest the freedom of the flower of Bengal from an obstinate bureaucracy.

"The Working Committee, as usual, has been meeting from time to time. Besides the meeting at Gauhati which was held immediately after the Congress the Committee informally met at Calcutta soon after i.e., on the 1st January. Meetings of the Committee were frequently held during the pendency of the Assembly session at Delhi in January, February and March when the Committee discussed mainly the Hindu-Muslim question, the Currency Bill and the Chinese situation. It subsequently met in May last at Bombay and, as has been stated above, went thoroughly into the questions outstanding between Hindus and Muslims and submitted its report and draft resolutions

to the All-India Congress Committee under Resolution IX of the Gauhati Congress. The report could not be ready by the 31st March as required under the Gauhati resolution, in view of the fact that the President had to carry on prolonged consultations with leading Hindu and Mohammedan members of the Assembly and the Council of State in Delhi as well as other leaders.

"The last meeting of the Working Committee was held in Calcutta on the 28th October, on the eve of the All-India Congress Committee. At this meeting the Committee, besides framing draft resolutions for adoption by the All-India Congress Committee on the basis of the Hindu Muslim Unity Conference discussions, resolved to sanction Rs. 500 as a token of its sympathy with the people of Orissa in their distress caused by the recent floods in that unhappy land.

"The Working Committee, in accordance with the resolution on Hindu-Muslim Unity adopted by the All-India Congress Committee at Calcutta, passed by circulation a resolution appointing a Committee representative of Hindus, Muslims and Sikhs for the purpose of carrying on propaganda along the lines indicated in the said resolution of the All-India Congress Committee.

"The Working Committee also considered the situation created by the announcement of the appointment of the Parliamentary Commission and adopted the following resolution by circulation :—

"As the British Government has constituted the Statutory Commission in defiance of the national will and rejected the national demand for a Round Table Conference to settle a Svaraj Constitution for India, the Working Committee of the Congress calls upon the people of India and appeals to all political parties to abstain from co-operating with the said Commission either by giving evidence or by voting for or serving on any Select Committee connected therewith."

"The Commission has been universally condemned as a negation of the fundamental right of self-determination which is inherent in every nation. The Congress will, no doubt, devise, in consultation with other organisations in the country, a concerted plan of action with a view to bend the British Government to the nation's will unanimously expressed through the National Congress.

"Under the leadership of Mahatma Gandhi, the All-India Spinners Association has, during 1926-27 which is the second year of its existence, made "general progress" which, as the Association's report says "is marked not so much in the increased figures of khadi production and sale although such progress is to be found in some of the provinces but rather in the improvement in the quality of yarn and cloth towards which the efforts of many of the organisations in the several provinces were in the main directed during a large part of the year as also in the evolving of disciplined organisations in some of the less organised provinces and the bringing of all their centres under a proper system of business efficiency." The returns received at the Central office of the Association show that *Khaddar* of the value of Rs. 23,59,067 has been produced and the sale-proceeds amount to Rs. 32,52,854 during the year under report. Mahatmaji has undertaken, in spite of serious illness, tours in Karnatak, Tamil Nadu and Ceylon. It is a matter for especial gratification to note that his tour throughout these provinces including the States of Mysore, Travancore and Cochin has been marked by signal success. The warm and spontaneous reception that greeted him everywhere, the generous response which was made to his appeal for Khadi funds and the unbounded enthusiasm that has been aroused in the hearts of the public for the cause of

*Daridra Narayan*, the God in the lowly and the distressed, give the lie direct to the self-complacent allegation of the enemies of this country that Mahatma's influence over the masses has diminished. In far off Ceylon, all the communities, including the Burghers, vied with one another in according him royal reception and giving of their best to the cause of the downtrodden and the depressed, of which he is the living embodiment. In a poor country like ours, only Mahatma Gandhi could collect spontaneous donations amounting to Rs. 3 and half lakt. during a few months' tour.

"The Karnatak Board of the Hindustani Seva Dal has good work to its credit during the year under report, having enlisted 6658 Congress members and 91 Dal members.

"Reports of work done in all the provinces having not yet been received but so far only Maharashtra, Karnatak, Behar, Gujarat, C. P. Marathi and Bombay have forwarded them. The Maharashtra P. C. C. states that the total number of Congress members in the province is about 2,400. In the Colaba and Bombay Suburban Districts of this province, vigorous efforts have been made to carry on a campaign against the payment of increased land assessment. It should be noted here that the President, during his extensive tour in Maharashtra in May last, personally studied the movement in Alibag for refusing to pay the enhanced land assessment and after convincing himself of the justice of the movement, gave it every encouragement. Active propaganda work against the drink evil has also been done in these districts. In Karnatak 6658 Congress members were enrolled during the year by the exertions of the Seva Dal mentioned above. The report received from four Districts in Behar shows that 2,220 Congress members were registered in those Districts. In Gujarat only 270 were enlisted during the current year as against 651 last year. But this was due to the fact that Gujarat experienced a terrible calamity in the deluge that swept over the province. It is gratifying to note, however, that the Provincial Congress Committee rose to the occasion and put forth almost superhuman efforts to bring relief to the flood-stricken and starving millions. The people made a splendid response to the appeal for funds and a sum of Rs. 6,22,982 was collected for flood relief. Relief operations are still being carried on. Rs. 82,440 were collected and ear-marked for the depressed classes in Gujarat. C. P. Marathi reports only 1564 members for this year as against 3610 of last year.

"The Bombay Province has on its rolls 4248 members including 14 who have enlisted themselves in the A. I. S. A.

"We have this year again to advert to the unsatisfactory financial position of the All-India Congress Committee, which will be evident from a perusal of the audited statement of T. S. F. accounts annexed hereto. We must also reiterate the urgent need for collecting funds for efficient organisation of Congress work and for the upkeep of the Central Office. As we said last year, the amount required for this purpose will by no means be large, and we earnestly invite the prompt attention of the All-India Congress Committee to this vital need of the Congress Secretariat. We suggest in this connection, that funds should be collected and ear-marked for the purpose and the support of the public enlisted in this behalf."

MADRAS,  
15th December 1927.

{ M. A. ANSARI,  
VALLABHBHAI J. PATEL,  
A. RANGASWAMI IYENGAR.

[*Note.*—As Working General Secretary of the Congress during the last two years who will be vacating his office this year, I may be permitted to say one word as to the need for placing the Congress Secretariat on a permanent footing. The frequent changes in the headquarters of the A. I. C. C. Office, which the present system imposes, involves an amount of expenditure and dislocation of business which may well be avoided. I would suggest that the office may be put in charge of a permanent paid Secretary and be located at some central place where he should carry on the ordinary routine work of the Congress organisation throughout the year, while the General Secretaries annually elected would be placed in a position to guide and control the office and carry out the policy and programme laid down by the Congress at its annual session, as also in accordance with the resolutions and directions of the All-India Congress Committee and the Working Committee.]

I would also once again urge the restoration of the amount of the delegation fee of each delegate to Rs. 10. Its reduction to the nominal figure of Re. 1 has rendered and will render the task of Reception Committees of the less prosperous provinces difficult and hazardous, and accentuate the position of dependence of the A. I. C. C. on the fastly thinning balances of the Tilak Swaraj Fund. It is also necessary, I think, to restore the membership fee of A. I. C. C. members and to give effect to the statutory provision contained in Art. IX of the Congress Constitution and to ask each Provincial Congress Committee to make an annual contribution to the central fund.

A. Rangaswami Iyengar.]

## Proceedings of the Calcutta Meeting.

The requisition meeting of the All-India Congress Committee commenced at Calcutta in the Albert Hall on the 28th October 1927 under the presidency of Mr. S. Srinivasa Iyengar, President of the Indian National Congress. There were present about fifty members of the Congress Committee and a similar number of visitors. At the outset, the President explained the circumstances under which the holding of the meeting of the All-India Congress Committee was adjourned from time to time. The President further stated that this meeting was held in pursuance of a requisition signed by several members of the All-India Congress Committee.

Among those who attended the meeting were Maulanas Abul Kalam Azad, Mahomed Ali, Shaukat Ali, Pandit Gopebandhu Das, Mr. Tulsi Charan Goswami, Moulana Abdul Bari, Dr. Bidhan Chandra Roy, Mr. A. Rangaswami Iyengar, Mr. V. V. Jogiah, Mr. T. Prakasam, Moulana Mahomed Shafi, Dr. Biswanath Mookerjee, Babu Bagavan Das of Benares, Pandit Nilkantha Das, Mr. Lalit Mohan Das, Mr. Satyendra Chandra Mitra, Mr. S. Jairamdas Daulatram, Dr. Nand Lal, Babu Purshottamdas Rai, Dr. Pratap Chandra Guha Roy, Mr. C. F. Andrews, Sreemati Urmila Debi, and Sreemati Subbamma Debi.

### Congress and Madras Politics.

Mr. A. Rangaswami Iyengar then read the requisition which stated that the Working Committee instructed the Congress party in several Provincial Legislatures that their duty under clause (a) of the resolution of the Ganapati

Congress was to prevent the functioning of diarchy as such wherever possible and did not impose on them to defeat a Ministry if the result of such an action was in the judgment of the party likely to strengthen the bureaucracy and was of opinion that it was desirable for the party to co-operate with each other for the purpose of carrying out the Congress policy and (2) that having heard all about the conduct of the Congress party in the Madras Council the Working Committee was convinced that the party had done nothing consistent either with the ultimate object of the Congress, the attainment of Swaraj, or with the spirit and letter of the Gauhati resolution, as in its judgment there was no probability of wrecking diarchy in that province at that time but that on the other hand it had done all that lay in its power to prevent the strengthening of diarchy by means of an alliance with a party whose avowed policy was to promote communalism and to repress nationalism for the purpose of securing office at the hands of the bureaucracy. The Working Committee made it clear that in no case should the party in the Council resort to such co-operation and (3) to consider the desirability of convening a special session of the Indian National Congress to consider future policy and programme.

The requisition led to a heated debate. Mr. Viswanath urged the withdrawal of Clause (2).

Mr. Rajkumar Chakravarthi said that, in view of the approach of the Congress in Madras, consideration of the interpretation of the Gauhati resolution should be postponed till the next A. I. C. C. at Madras.

Mr. T. Prakasam suggested that the first part of the resolution be formally moved.

Mr. J. M. Sen Gupta said that this was a special meeting convened in pursuance of a requisition, so the resolution must either be moved or dropped. He proposed that the whole resolution might be dropped. He said that having regard to lapse of time, and having regard to what had happened in Madras since the notice of this meeting was given it was futile for them now to go and consider this question. He reminded the House of their programme in the Councils. He fought tooth and nail to oppose any quarter being given to any Ministry in any Council and was one of the staunchest Swarajists in throwing out the Ministry in company with any other party or parties, however antagonistic they might be. It was futile for them now to pass a resolution of condemnation and he hoped that the consideration of the resolution might be postponed.

Mr. B. G. Horniman wanted to speak and asked the President not to allow this matter to be voted upon unless the matter was thoroughly discussed. The President regretted that it was too late for Mr. Horniman to suggest a further discussion.

The resolution of Mr. Sen Gupta was carried. The following is the text:—

#### 1.—Requisition *re* Wg. C. Resolution.

"That the consideration of the matter raised in the requisition for this meeting *re* Working Committee's resolution on the conduct of the Congress Party in the Madras Legislative Council be dropped".

#### 2.—Bihar and Orissa Flood.

Mr. T. Prakasam moved the following resolution:—

"That the A. I. C. C. condemns the callously minimising attitude of the Government of Bihar and Orissa with regard to the recent flood disaster in

Balasore and Cuttack districts of Orissa. It warmly congratulates the different voluntary societies which have done such splendid service in saving the poorest of the poor in the districts from utter privation. It commends the work of the reconstruction on behalf of the distressed families as a national work of immediate importance, notifying the fact that the greatest sufferers were the families of the depressed classes. It calls the public attention to the appeal made by Pandit Gopa Bandhu Das and Mr. C. F. Andrews whose service in the cause of the famine-stricken in Orissa it gratefully acknowledges."

He said that it was well-known what Mr. Andrews and Pandit Gopa Bandhu Das had done regarding the great distress that had overtaken the province. He hoped that the resolution would command unanimous support.

Mr. Subash Chandra Bose seconded the resolution.

Pandit Gopa Bandhu Das said that, if anybody visited the flood-stricken area, he would not bear the sight of it. Orissa, he said, was a problem in Indian politics not only on account of its dismemberment but on account of its annual floods. It was for the Indian National Congress to help the struggling people of Orissa.

The resolution was carried. The President announced that the Working Committee had resolved to contribute Rs. 500 towards the Flood Relief Fund.

### 3. — Kharagpur Deadlock.

Mr. T. C. Goswami moved the following resolution:—

"That the All-India Congress Committee expresses their deep sympathy with the Kharagpur strikers in their struggle against the grave injustice that had been done to a considerable section of the employees of the B. N. Railway and asked the whole country to stand by them and help them to vindicate their rights."

The resolution was duly seconded.

The President remarked that, as Government had not taken any steps in the matter, they could not but sufficiently condemn their action.

The resolution was carried.

### 4. — Punjab Communal Murders.

Dr. Ansari moved the following resolution:—

"This committee expresses its unqualified condemnation of the murderous assaults and riots that have recently taken place and appeals to Moslem and Hindu leaders to do their utmost to create an atmosphere of non-violence in the country."

He said that it was absolutely necessary that violence of any kind, and specially of murderous assaults on innocent, inoffensive and harmless individuals, who were absolutely unprepared, should be condemned in no uncertain terms by all; whether they were Hindus or Mussalmans. Unless they had peace in the country it would be impossible for them to do any work.

In seconding the resolution, Maulana Mahomed Ali condemned not only the murderous assaults but the organised riots and he did it both as a Congressman and as a Mussalman. They should condemn violence in no uncertain terms.

Dr. Biswanath Mukerjee remarked that some practical steps should be taken on behalf of the Congress to check such things. An empty resolution would not help them much. He maintained that there were persons in the Congress who called themselves as Hindu and Mahomedan leaders who spoke one thing in the Congress and immediately after they came out and went to temples or mosques they preached something differently.

Maulana Mahomed Ali, interrupting, said : I have every right to go out to mosques as a Mussalman.

Dr. Mukerjee : I am not going to stand against anybody's rights to speak or preach.

Maulana Akram Khan : Name the persons.

Dr. Mukerjee : Read the newspapers. I think the Maulana has no cause to take umbrage. I have not mentioned him and I do not know it has hit him.

The President standing up said that it was with a view to put an end to violence of all kind that they had assembled there and Dr. Mukerjee was right in asking that effective steps should be taken subject to their approval. What they proposed to do was to have a touring committee consisting of Hindu and Mussalman leaders to educate the public to condemn violence and to bring about an atmosphere of non-violence in the country.

Dr. Ansari's motion was carried.

#### 5.—Resolution on Religious Conversions.

Mr. J. M. Das Gupta then placed before the House a resolution on conversions and reconversions adopted by the Unity Conference on the previous night for ratification. The following is the text :—

"The All-India Congress Committee resolves that every individual or group is at liberty to convert or reconvert another by argument or persuasion but no individual or group shall attempt to do so, or prevent its being done, by force, fraud or other unfair means such as the offering of material inducement. Persons under eighteen years of age should not be converted unless it be along with their parents or guardians. If any person under eighteen years of age is found stranded without his parents or guardian by persons of another faith, he should be promptly handed over to persons of his own faith. There must be no secrecy as to the person, place, time and manner about any conversion or reconversion nor should there be any demonstration of jubilation in support of any conversion.

"Whenever, any complaint is made in respect of any conversion or reconversion, that it was effected in secrecy or by force, fraud or other unfair means, or whenever any person under eighteen years of age is converted, the matter shall be enquired into and decided by arbitrators who shall be appointed by the Working Committee either by name or under general regulations".

Maulana Shaukat Ali, supporting the resolution, said that he was not only a member of a communal society but also of a religious society. If anybody wanted to convert others to Mahomedanism or Hinduism, he was welcome to do so but only it should be a fair and square conversion. Therefore, in view of what was happening in the country, it was desirable to raise the age from 16 to 18.

Rising on a point of order, Mr. Jairamdas Daulatram of Sind said that it was a highly controversial subject but, as this meeting was convened for a special purpose, this resolution was out of order.

The President overruled his motion that consideration of this question which was one of the decisions arrived at by the Unity Conference the previous night, be adjourned to another date.

Mr. T. Prakasam wanted a reasonable time to be given to those members of the All-India Congress Committee who were not present. Those who had attended the A. I. C. C. did not know that this resolution was going to be taken up. He took objection on the grounds both of time and place and in his opinion the All-India Congress Committee should have only discussed the



matter without arriving at any decision or should have adopted a resolution tentatively for final ratification at another meeting later on.

In seconding him Mr. Jairamdas Daulatram said that the whole issue was that peace should be based on terms which were both fair and workable and he believed that the haste with which this draft had been placed before them was not conducive to a settlement. After all, they wanted to bring about peace between Hindus and Mussalmans and the Sikhs in the Punjab and he thought the move behind Congress in this matter ought to be that it should be their endeavour to bring these parties together and, after the parties had settled their differences, to register their decision. But the way suggested, in his opinion, would not bring about peace nor make it lasting and it could not be carried into effect in face of the numerous riots and murderous assaults made from time to time. He cautioned that they must not precipitate any decision for, by so doing, they would give a greater handle to the reactionaries. The question of music before mosques, he remarked, was part and parcel of the agreement.

The President: There is no question of agreement or pact in these things. What the Congress proposes to do is to take the initiative in the matter and educate the public.

Proceeding, Mr. Jairamdas said that any suggestion made by the Congress for the purpose of education should have been arrived at after a fuller discussion. He pointed out that there was practically no representative from Tamil Nadu.

The President: You can trust me to deal with at least Tamil Nadu.

Mr. Jairam: I understand, the President takes the responsibility for Tamil Nadu but I thought I might as well refer to it. Then there are only a few representatives from Andhra and the Punjab and I do not know who will take the responsibility on behalf of the Hindus to educate those provinces. I think the Congress would be wise enough to postpone the consideration of the matter and it should publish a resolution without committing it to anything.

Opposing Mr. Prakasham, Mr. T. C. Goswami said that when a decision had to be taken, the sooner it was taken the better and the policy of hastening slowly had larded the country in this terrible condition. He did not subscribe to the view that the Congress should register the decision of some society and he emphatically repudiated the suggestion. In his opinion it was the duty of the All-India Congress Committee to take the initiative in the matter and not to rely on communal organisations to settle their differences. He did not know if there was any Mahomedan organisation in the country which represented the opinion of Mahomedans but as far as his own community was concerned, he knew for certain that there was no such organisation which could speak in the name of the Hindu community. "I must tell Lala Lajpat Rai and Pandit Madan Mohan Malaviya," continued Mr. Goswami, "in public interests that there is no such thing as the Hindu Maha Sabha in Bengal except in one street of Calcutta. There are very few people in Bengal who recognise the Hindu Maha Sabha as authoritative and I think it my duty at this time of the All-India Congress Committee to say that there are many Bengalees who would not recognise the jurisdiction of the Hindu Mahasabha. I say it is the duty of the Congress to take the initiative in this matter and to educate the country. This resolution is on the face of it fair. Here is an agreement which gives absolutely free right to others to convert with the exception of

fraud and force. If the Congress wants to educate the public it must have its own opinion."

Dr. Ansari was surprised at what Mr. Prakasam had said and, in his opinion, this resolution on conversions was really nothing but a resolution passed at the Unity Conference in 1924 after Mahatma's fast and as such it had been before the public for the last three years.

Mr. Prakasam: Not at all. That Conference was supposed to have broken off.

Dr. Ansari proceeding said that they were deploring from day to day the atmosphere created in the country. Violence, feuds, enmity and riots were going on from day to day and, when the time came to settle these differences, they were told to put back. This was a mentality he could not understand. They should take definite action to check this state of affairs.

Mr. Purushottam Rai asked Mr. Goswami to withdraw his remarks against the Hindu Maha Sabha in view of the fact that he had already promised Rs. 1,000 to it.

Mr. Goswami:—By Hindu Maha Sabha I meant the Maha Sabha which is at Lahore.

The President:—That is all right. Mr. Goswami did not mean any reflection on the Calcutta Hindu Maha Sabha and knows quite well that Mr. Rai's cordial co-operation was materially responsible for the decision arrived at.

Defending his own conduct, the President said that he has tried his best to bring about an agreement between the Hindus and Mussalmans. He did not accuse anybody but murders were there and communal feelings were there and in this state of affairs they could not leave the matter to a communal party. His original view that these matters should be left to a communal party was a mistake, because naturally they exaggerated their own rights. Therefore, an impartial tribunal like the National Congress should deal with it.

As regards Pandit Malaviya, continued the President, if he wanted postponement on the ground of the unsuitability of time and place, he was prepared to do what was wanted but the Pandit's message: "I cannot persuade myself to attend the Conference," was clear and it meant "Hands Off".

As for Dr. Moonjee, Mr. Iyengar read his message and said that it spoke for itself. "When you accused me, I should explain."

Mr. Prakasam:—I have not accused you.

President:—I have done my best to promote amity and I am not without hopes. But if you leave the matter in this state of things there is no chance of Hindu-Moslem Unity. And what do you say to me? Murderous assaults are taking place and hands off! That is your proposition. And I have not the slightest doubt that you cannot either found nationalism or Swaraj on perpetual quarrels. Is the Congress going to abdicate its function in this matter? I would ask you to dispel from your mind that there has been the slightest injustice to the Hindu Mahasabha leaders. I say now with full responsibility that Mahomedans are more amenable to settlement. I know this is the view of Mahomedan friends who are here and of others who have sent many earnest telegrams. Simla has convinced me that what Simla has failed to do, the Congress will accomplish. What chance is there of a Swaraj Constitution if this matter is not settled? Let us then adopt the resolution.

Maulana Mahomed Ali thought that this was the most non-controversial resolution and that there was no use wasting time over it.

Mr. Prakasam's motion was lost and the original motion of Dr. Das Gupta was adopted.

Following the defeat of Mr. Prakasam's motion Mr. Jairamdas Daulatram walked out of the meeting as he could not be a party to further proceedings of the meeting in regard to the Hindu-Muslim problem in view of the fact that it was decided to give no time to the representatives of the various communities in the different provinces to express their views on the resolutions adopted by the Calcutta Unity Conference. The meeting then adjourned.

## SECOND DAY—29TH OCTOBER 1927.

The All-India Congress Committee reassembled this afternoon under the Presidency of Mr. Srinivasa Iyengar. There was a thin attendance.

At the outset, the President drew the attention of the House to the statement, published in some papers, that there had been a defeat of Mr. Horniman. The President assured the House that there was no defeat of any party. But if there had been any defeat, it was the defeat of his humble self. The President further stated that he did not belong to any party and that there was no party or group in the Congress.

### 6.—Resolution on Cow and Music.

Mr. J. M. Sen Gupta then moved the following resolution :—

The All-India Congress Committee, while approving of the following resolution on the cow and music questions as a fair settlement of the opposite demands and points of view, authorises members of the Congress to carry on propaganda among the Hindus and the Moslems along the lines indicated in the resolution, and calls upon the Working Committee to appoint a sub-committee for the purpose of carrying on such propaganda, and further resolves that the resolution do come up for confirmation at the meetings of the A.I.C.C. and the Congress to be held in Madras :—

"Whereas no community in India should impose or seek to impose its religious obligations or religious views upon any other community, but the free profession and practice of religion should subject to public order and morality be guaranteed to every community and person :

"Hindus are at liberty to take processions and play music before any mosque at any time for religious or social purposes but there should be no stoppage of the processions nor special demonstrations in front of mosques ; nor shall the songs or music sung or played in front of a mosque be such as is calculated to cause annoyance, offence or special disturbance to the worshippers in the mosque.

"Moslems are at liberty to sacrifice cows or, subject to existing municipal laws regulating the slaughter of animals for purposes of food, to slaughter cows in any town or village in any place not being a thorough-fare nor one in the vicinity of a temple or a 'mandir' nor one exposed to the gaze of the Hindus. Cows should not be led in procession or in demonstration for sacrifice or slaughter.

"Having regard to the deeprooted sentiment of the Hindu community in the matter of cow killing, the Moslem community is earnestly appealed to so conduct cow sacrifice or slaughter, as not to cause annoyance to the Hindus of the town or village concerned."

"Whenever a complaint is made that any of the provisions of this resolution have been contravened, it shall be enquired into and decided by arbitrators appointed by the Working Committee by name or under general regulations, and their decision shall be final".

Mr. J. M. Sen Gupta said that the Congress had been trying to compose the differences between the Hindus and the Mahomedans for the last two years. The Congress had been pursuing a policy of draft. It had allowed communal organisations full play not only in creating differences between the two communities, but also in allowing such organisations to make an attempt at settlement. It seemed to him that it was wrong on the part of the Congress to expect that communal organisation would view the questions from a broad and national point of view. The experience of the past two years had confirmed them in the belief that the only organisation which could deal with the questions successfully, was the Congress. They took up the questions for settlement in their own hands. They approved of these resolutions, and asked the members of the Congress to do propaganda to popularise these views. They called upon the Working Committee to appoint a small committee to popularise these views.

Mr. Sen Gupta concluded: "Let us start the work. Let us give the lead. We have got two months before the next Congress. People ought to think of these resolutions. We approve of these resolutions, and we say that after the experience of these two months' propaganda and the way these resolutions are accepted by the people, we would know in Madras how they could be modified. What I would like you to do is not to interfere with these resolutions to any great extent. If you make any number of alterations in these resolutions, you will only be giving a handle to those who are waiting and watching to wreck all attempts at a solution."

Maulana Mahomed Ali seconded the motion. He said that the reasons which actuated them in framing the resolutions, were that they wanted to get rid of all these occasions for excitement which led to mischief. When freedom was accorded to each community to do what it was required to do by its religion, without imposing any restrictions upon it, the present ill-will and hostility would go.

Continuing Maulana Mahomed Ali said that there would be a competition far different from the competition that existed at the present moment. To-day the competition was for each community to snatch what they could from the hands of the other and to show that they were dominant. The resolutions would practically challenge the Hindus and Mahomedans, and make them show greater consideration for the feelings of others. It was with a desire to institute a new form of competition, that the resolutions were being moved.

#### Mr. Prakasam's Amendment

Mr. T. Prakasam moved an amendment, the effect of which would be to postpone all consideration of the resolution.

His amendment wanted them to appoint a committee to tour the country to educate the masses, so that when the Congress met in Madras the committee might be able to report the views of the public.

Mr. Prakasam said that the reasons for his moving the amendment were that the question of music and the question of cow-slaughter had been either real causes or excuses for Hindu-Moslem riots during the last five years, commencing with the riots in Multan in the south of the Punjab in the year 1922. He reminded the House of what happened at the Simla Unity Conference and in the Hindu Sabha meeting. Regarding the question of cow-slaughter, he said that he was anxious that, whatever the committee did, it should be such as would not be condemned by the outside public as un-

reasonable and impracticable. He feared that dangers would accrue from the resolutions if adopted as tabled and appealed to Mr. Sen Gupta and Maulana Mahomed Ali not to press the resolutions.

Mr. B. P. Naidu seconded the amendment.

Mr. Nimbker while supporting the original resolution, expressed himself so very reluctant to speak on communal questions. He attributed all the existing evils to the want of a revolutionary programme of mass organisation before the country. He reminded the House of the unity that existed between the Hindus and the Moslems in the Non-co-operation days, and observed that council-entry and the Bardoli decision were responsible for all the fanaticism prevalent in the country. If the Congress was prepared to have a strong programme, then only would the resolutions help them.

Mr. Rajkumar Chakravarti, opposing the amendment, remarked that in view of the fact that the Unity Conference had spent much time and energy over the peace proposals, it would be an act of sheer discourtesy not to consider them. He pointed out that Mr. Prakasam wanted, in effect, not to approve of the resolution but to treat them as a mere scrap of paper. Mr. Sen Gupta, he said, had made it clear that the proposals would be confirmed at the Madras Congress with such modifications and additions as might be deemed to be necessary in the light of the criticisms received. He therefore did not think postponement was necessary. The proposals embodied a compromise and so long as there were self-seekers on earth no compromise would give universal satisfaction.

Mr. Girdharilal, Mr. Basanta Kumar Mazumdar and Mr. T. Viswanatham of Andhra supported the amendment.

Maulana Akram Khan supported the original resolution, and made a stirring appeal to the House to pass the resolution.

Mr. Subash Chandra Bose, supporting Mr. Sen Gupta, said that the resolution before the House was after all a man-made formula. He did not claim that it was in any way able to meet all the contingencies that might arise from time to time; but what he claimed in support of the resolution was, that it represented a sincere and honest endeavour to arrive at a common formula. The practical effect of the resolutions would be, on the one hand, to remove the obstinacies on the part of the Hindus in the matter of music before mosques, and on the other remove the obstinacy on the part of the Mahomedan in the matter of cow-slaughter. If unfortunately, their hopes were not fulfilled, it would then be time for them to put their heads together in order to adopt some other form of conciliation. He emphasised the point that the present proposals would go a long way towards removing a good deal of the misapprehension which seemed to prevail in the minds of the extreme Hindus and extreme Mahomedans. They, the Hindus of Bengal, Mr. Bose assured the House, were not going to lose their heads on account of the communal troubles. And if the Mahomedan leaders assumed a frantic attitude they would refuse to follow them. They had glorious traditions behind them, and had an important part to play in the chapter of their country's freedom. They were not going to surrender the position that they had taken at the very beginning. The speaker was an optimist and he hoped that the communal troubles were a passing phase, and that was why he would appeal to the Hindus of Bengal not to give up the strictly nationalistic position that they had taken up from the very beginning.

The amendments of Mr. Prakasham were put to vote and lost.

#### Other Amendments.

Mr. Prakasham next moved the following amendments :—

1. "That the Hindus shall be at liberty to play music in all public thoroughfares at all times, for religious, social or other purposes, subject to the local usages or customs that might have been obtaining prior to 1922, and also subject to any agreement between the parties or decrees of civil courts obtained by the two communities in regard to such rules.

2. "Neither the Hindus nor the Mahomedans shall claim or set up any right or usage for preventing any music in the houses or in the places of worship of the other community at any time.

3. "The Mussalmans shall be at liberty to slaughter cows subject to local and municipal laws and decrees or any special agreement or usages and customs prevailing in the towns and villages in the different provinces prior to 1922. In towns and villages that might hitherto come into existence the matter should be settled by a general board of Hindus and Moslems."

These amendments were also lost.

There were several minor amendments to the original resolution and the President appealed to the proposers of those amendments not to press them at this Calcutta session. He assured them that they were at liberty to bring forward those amendments at the Madras session of the A. I. C. C. meeting for consideration.

In spite of the President's appeal, several members rose to move their amendments.

Mr. B. P. Naidu asked for the insertion of the following proviso :—

"Provided it is already laid down by law or regulation, in any province or part of a province, that cows can only be slaughtered or sacrificed in a slaughter house, they shall not be slaughtered or sacrificed in any place other than the slaughter house; and in places where there is no such law, the right shall be exercised subject to local usages. Where local usage cannot be ascertained, a separate place of slaughter be assigned by a joint board of Hindus and Muslims of the locality.

The amendment was lost.

Mr. Saileshnath Bisi of Bengal moved the insertion of the words "statutory provision" for "municipal laws."

Maulana Mahomed Ali objected to the amendment, and reminded the House of what had happened in the Punjab over the question of statutory laws.

Mr. Subash Chandra Bose, in support of the amendment, pointed out that if there was any existing law regulating cow-slaughter for the purposes of food in any non-municipal area, there was nothing to be afraid of. There was no question of total prohibition, and he begged Mr. Mahomed Ali to accept the amendment.

Mr. Subash Chandra Bose maintained that the amendment of Mr. Bisi was a harmless one. But as there was vehement opposition he requested Mr. Bisi to withdraw the same.

With the permission of the House, the amendment was withdrawn.

Original Motion Carried.

After some discussion the original resolution with some minor amendments was put to vote and carried with two dissentients.

#### 7. — Bengal Detenus.

The following resolution moved by Mr. J. M. Sen Gupta was carried :

"This Committee strongly condemns the continued incarceration under Regulation III of 1818 and under the Bengal Criminal Law Amendment Act of 1925 of the Detenus of Bengal.

"And in view of the fact that several detenus have been in custody for over four years and are in an alarming state of health, this committee resolves that a sub-committee of six members, with power to co-opt, be appointed to devise means for expediting the release of the detenus and that this sub-committee do submit their report in time for the next meeting of the A. I. C. C.

"The members of the committee shall be Dr. Ansari, Mr. Prakasam, Mr. Akram Khan, Mr. S. C. Mitra Mr. Srinivasa Iyengar and the mover".

The meeting was then adjourned.

### THIRD DAY—30TH OCTOBER 1927.

The All-India Congress Committee concluded their deliberations this morning in a thin House, Maulana Abul Kalam Azad presiding.

The President (Mr. Srinivasa Iyengar) could not attend the meeting owing to the sudden breakdown of his health. The Mayor of Calcutta and some other leaders were absent.

There was some amount of discontent in the House when a resolution was disallowed which was moved by an Andhra member and which had reference to the Gauhati resolution laying down that it was mandatory on Congressmen to refuse offices within the gift of the Government and oppose and prevent the formation of ministries.

The Secretary, on behalf of the President, informed the House that the resolution was out of place in view of the resolution passed in the beginning of the proceedings postponing consideration of the question till the Madras session.

As a protest against this some Bengal members proposed an adjournment of the House sine die, which was carried.

### 8.—Indians in America.

Swami Kumaranand of Ajmere moved a resolution appreciating the services of Mr. Shailendranath Ghosh and Mr. Sudhindranath Bose, the Indian exiles in America, and expressing deep sympathy in their fight for the restoration of the citizenship rights of Indians and gratitude to Senator Copeland for bringing the Hindu Citizenship Bill in the American Senate to remove the disqualification imposed on Indians in America and to place them on the same footing with the other emigrants. He eulogised the services of the two Indian leaders in U. S. and pointed out that they had been deemed as political untouchables. If they wanted to keep the honour and prestige of the Indians in America, he urged the Congress Committee to start a fund and appoint a sub-committee to collect money for that fund. The time had come, he concluded, when they should not neglect the Indian exiles in America.

Mr. Nimbkar, while seconding the resolution, regretted that it was most deplorable that the Congress was not doing anything for the Indian exiles. He pointed out that the exiles were all patriotic people who had suffered for their country and it was the duty of the Congress to raise their fingers for them.

The resolution was carried.

### 9.—Cancellation of Passports.

Mr. Nimbkar next moved :—

"This meeting of the A. I. C. C. condemns the action of British Imperialism in refusing comrade Saklatwala a passport to visit his motherland and also the action

of the Indian Government in refusing passports to many Indians invited by the Society for the Promotion of Cultural Understanding, to attend the tenth anniversary of the Russian Revolution."

Mr. Nimbkar stated that Mr. Saklatwala wanted to visit his native land once more during the time of the Madras Congress, but the Government had cancelled the passport given to him. He also pointed out that many Congress leaders and journalists were invited to attend the Soviet anniversary, but they too were refused passports. The question of passports was a serious one and it ought to be tackled by the Congress.

The resolution, which was seconded by Mr. Viswanatham was carried.

#### 10.—The Nabha Abdication.

Mr. B. G. Horniman moved :—

"This meeting of the A. I. C. C. reaffirms the resolution passed at the Delhi special session of the Congress in 1923, strongly condemning the action of the Government of India in bringing about the enforced abdication of His Highness the Maharaja of Nabha as being unjust and unconstitutional, and in reaffirming the heart-felt sympathy of the nation with the Maharaja Sahib in the grave wrong that has befallen him, demands that justice be done to the Nabha cause by the restoration of the Maharaja to the gadi and in all other respects."

Mr. Horniman pointed out that the resolution was passed unanimously by the Subjects Committee at Gauhati, but for certain reasons the matter was referred to the Working Committee for a confidential report. He understood that the Working Committee had got no confidential report to offer them, and he thought it was time that the matter was closed, because in his opinion a very grave injustice had been done by the failure to have the resolution passed by the Gauhati Congress. The speaker had been travelling in the country, and had met a large number of Sikh leaders and he assured the House that the feeling of the Sikhs was very strong. Indeed, they felt strongly that the Congress in not passing the resolution at Gauhati, did the Sikh community an injustice and in a sense caused a slur upon their own support to the Nabha cause.

The resolution was seconded by Mr. Rajkumar Chakravarti, and supported by Swami Kumarananda and was carried.

#### 11.—The Gauhati Decision.

Mr. Viswanatham of Andhra moved :—

"Whereas doubts have arisen as to the exact meaning and scope of the resolution passed by the Indian National Congress at Gauhati, the All-India Congress Committee feels bound to explain it; and is of the opinion that the said resolution was intended to mean and means, that it is mandatory on the Congressmen in the legislatures to: (1) refuse offices within the gift of the Government and withdraw support direct or indirect from those who so accept office; (2) oppose and prevent the formation of Ministries, and avail themselves of every opportunity to so oppose by all possible and legitimate means and ways; (3) throw out and utilise every opportunity to throw out Finance Bills, budgets and supplementary demands, in parts as well as in whole; (4) move or support only such resolutions as would decisively tend to strengthen the policy enunciated in the preamble of the resolution; and resolves to visit disciplinary action on those who do not work out or help to work out the said resolution, in the way explained."

Mr. Bangaswami Iyengar, Secretary, rose to a point of order, namely, that this resolution could not be moved. He reminded the House, in this connection, of the fact that when the President accepted the motion of Mr. Sen



Gupta the House by a majority carried the resolution. The President had ruled that all resolutions bearing upon the matter of the requisition were disposed of by the motion, which said that the question be dropped by reason of the fact that the Indian National Congress was going to decide the future policy and programme.

Mr. T. Prakasam characterised the point of order as most extraordinary. He pointed out that a special requisition was sent by a member of the Congress with regard to the instructions that were said to have been issued by the Working Committee on that matter. Mr. Sen Gupta made a change, and the resolution was dropped. How on earth, he said, could the mover be disallowed from explaining the meaning of the Gauhati resolution at least for the future conduct of the members of the Councils that would meet next week or before the December session of the Congress?

Mr. Basantakumar Mazumdar (Bengal) seconded the resolution.

The President ruled that the point of order was correct in view of the resolution of Mr. Sen Gupta having been passed.

Mr. Satyendrachandra Mitra (Bengal) at this stage proposed the adjournment of the House till the Madras session of the Congress. He was supported by Mr. Mazumdar.

Mr. Viswanatham said that after what he had heard from the Secretary on behalf of the President, he was not for pressing the resolution.

Mr. Iyengar recorded his protest against the manner in which Mr. Viswanatham had made insinuations.

Mr. Prakasam pointed out that there was no insinuation made against the President.

Mr. Nimkar regretted that the A. I. C. C., as a body, should quarrel in this way.

Mr. B. G. Horniman wanted to know whether the motion was a definite proposal for adjournment until the Madras session met, because it meant that, if the Committee decided now to adjourn, the Madras Executive Committee would not be in a position to discuss the matter in the interval.

Mr. Mitra in reply said that he was definite in the matter and moved that the meeting be adjourned *sine die*.

The motion was put to vote, and was carried.

#### Vote of Thanks to the Chair.

Mr. Horniman then proposed a vote of thanks to Mr. Iyengar and said that although he was in profound disagreement with much of the policy that had been pursued in this Committee, he would express his appreciation of Mr. Iyengar's intense earnestness and enthusiasm and devotion to duty as the President. He was sorry to hear of his sudden breakdown and hoped he would soon be restored to vigour and health.

Mr. Horniman also thanked the Maulana Sahib for the trouble he had taken to preside over that day's deliberations.

The meeting then terminated.

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## The Madras Meeting.

MADRAS—29TH DECEMBER 1927.

The next meeting of the All-India Congress Committee, after the Congress Session, met at Madras on the 29th Dec. under a shadow of great grief caused by the sudden death of Hakim Ajmal Khan at Rampur due to heart failure. The President, Dr. Ansari, and other personal friends of Hakim Ajmal Khan came to the meeting with tears in their eyes and the news soon spread in the Congress camp.

On the meeting assembling, Mr. S. Srinivasa Iyengar with the permission of the President made a touching reference to the death of the great Muslim leader. Speaking with feeling, he said:—

It is indeed a great pain to us that after the jubilation of the Congress, we should have this morning received the sad news of the death of Hakim Ajmal Khan. I am sure many in this Committee have known him personally. There are others who have followed his career and his attitude towards all national questions. I feel his loss deeply as any one of his closest friends. Ever since I became acquainted with him at the Ahmedabad Congress, he managed to capture my heart, he managed also to capture the heart of everyone who came into contact with him. He was an ardent patriot. He presided over the Ahmedabad Congress when the power and prestige of the Congress were highest. He represented all that was good and great in Upper India. He had been practically the moving spirit of the Tibbi College of Unani and Ayurvedic medicines. His charity was unbounded. His old age and his services were available to all. We all looked on him as a great patriot and when times and tempers were severely tried, when riots and disturbances were at their highest pitch, he kept his temper cool and held the scales of justice even as between Hindus and Mahomedans. He commanded the confidence and love of not only of the Hindus in Delhi but also in the neighbouring provinces. All the Hindus of the country loved him dearly. I do not know how the sad news will affect Mahatmajī. I know he will feel it even more than we all feel it. Dr. Ansari tells me that he is only 57; and the telegram says he died of heart failure. The last act of his that preceded his death was a notable and epoch-making one. Disregarding all considerations of health in his feeble condition of body, he wanted to do the greatest possible service to Hindu-Muslim unity. I need not tell you how he had been responsible for the Amir of Afghanistan's visit to India, his outlook and his speeches. After he paid his respects to the Amir he went over to Rampur and there it appears he died of heart failure and the Chief Secretary of the Rampur State has sent a message to the President of the Congress. I am sure if yesterday's resolution on Hindu-Moslem unity had been known to him, he would have been very happy. Far more than any one else, he has contributed to it. It has been the triumph of his life; he himself has been the embodiment of Hindu-Moslem unity."

Mr. S. Srinivasa Iyengar then placed before the Committee the following resolution drafted by Mr. C. Rajagopala Chariar:—

### 1.—The Condolence Resolution.

"The All-India Congress Committee records its most intense grief at the unexpected passing away of one of India's greatest patriots and workers in the cause of unity and a past President of the Congress Masihulmulk Hakim Ajmal

Khan Sahab and requests the President of the Congress to convey its respectful sympathies to the members of the bereaved family".

Mr. Gidwani, in seconding the resolution, joined in the sentiments expressed by Mr. Srinivasa Iyengar. India, he said, had lost one of the greatest of her sons of whom not only the Muslim community but all other communities were proud.

Mr. Govinda Aund associated himself with the previous speakers. He said that but for Hakim Ajmal Khan during the last few years, the unity between the two great communities would not have been possible.

Mr. Satyamurti, in supporting the resolution, said that Hakim Ajmal Khan though a Muslim, always felt, spoke and acted as an Indian even when communal passions were roused to the highest pitch. There was no doubt that his death occurred after the triumph of the work for which he had devoted his life. Had he been alive he would have been the right hand man of the President of this year's Conference in carrying out the many important resolutions.

The resolution was put and carried unanimously, all members standing.

## 2.— Election of Office-bearers.

The election of nine members to the Working Committee was then proceeded with. The office-bearers were elected the day before by the Congress itself and their names were published in the report of the Congress proceedings.

The President told the members at the outset that in consultation with the leaders, he had selected the nine persons who would form the Working Committee. He hoped that these names would be acceptable to them all. If as President of the Congress for this year he had to carry on the work of the Congress, he must have a committee who would work with him best.

He then proposed the following names for the Working Committee and suggested these may be carried en bloc :—

Mahatma Gandhi, Pandit Motilal Nehru, Mrs. Sarojini Naidu, Mr. S. Srinivasa Iyengar, Mr. J. M. Sen Gupta, Maulana Ma'omed Ali, Pandit Madan Mohan Malaviya, Maulana Abul Kalam Azad, Sirdar Sardul Singh.

Mr. Ginwalla pointed out that the President's suggestion to accept these names en bloc was such as to prevent the members of the A. I. C. C. from proposing other names and exercising their right of choice of their own nominees.

The President replied that unless he was allowed to select his own cabinet he could not take the responsibility for and carry out the Congress work.

Mr. Sambamurti submitted that after the President's statement, they ought not to delay on this matter but accept his own cabinet.

Mr. Venkataramana Iyengar moved that the President's list be adopted.

Mr. Ginwalla suggested that the Working Committee must have in it members who represented the masses and looked after their interest.

Pandit Jawaharlal Nehru took exception to the insinuation of the previous speaker and regretted it.

Mr. Ginwalla next proposed the names of Dr. Satyapal, Mr. Gidwani, Mr. Prakasam, Mr. Govindanand and Mr. Nimbkar.

At this stage, Mr. Gowrisankar Miara moved as a definite proposition "that the names proposed by the President be considered as elected as members of the Working Committee".

A few other members spoke with reference to this matter and they were followed up by Mr. C. Rajagopalachariar who drew their attention to the precedent of allowing the selection of members to the Working Committee in the hands of the President. It was right that the precedent should be followed even this year for the simple reason that the policy of the Congress should be worked out by members who agreed to work it out and who were most suitable for the purpose. He appealed to the members not to fight under the shadow of the death of the great leader Hakim Ajmal Khan but to accept the names. Let them understand before they proposed other names who they wished to eliminate from the President's list.

Having regard to the differences of opinion in the committee and to the difficulties in getting at a unanimous vote for the President's nominees, the President decided to put the names to the house one by one and to declare those elected who obtained the largest number of votes.

There was then some discussion as to the form in which the vote should be taken. The Committee decided to dispense with the ballot and agreed to indicate the vote by show of hands.

Votes were then taken. The following were declared elected in the order of the strength of votes they obtained :

Pandit Motilal Nehru, Mahatma Gandhi, Mr. S. Srinivasa Iyengar, Pandit Madan Mohan Malaviya, Maulana Abul Kalam Azad, Mr. Sen Gupta, Sirard Sardul Singh, Mrs. Sarojini Naidu and Maulana Mahomed Ali.

The President's list was thus kept in tact.

### 3.—Permanent Secretary Question.

Pandit Jawaharlal Nehru next brought forward the subject of having a permanent Secretary to the A. I. C. C. to be in charge of office work. He said that at present there was an Under-Secretary but he had no authority to sign even the routine papers. It was necessary the appointment of a permanent Secretary should be created to be in charge of the A. I. C. C. office. He drew the attention of the members to the following change in the Constitution which Mr. A. Rangaswami Iyengar had suggested in the draft programme for the "ensuing session of the Congress".

In para 2 delete the second sentence beginning with "the general secretaries" and ending with "the Reception Committee" and substitute the following :—

"The office shall be in charge of the permanent office secretary who should carry on the routine work, while the elected secretaries shall exercise general powers of supervision in order that the policy and programme of the Congress may be carried out. The secretaries shall be responsible for the printing and publication of the report of the proceedings of the preceding session of the Congress and of any special session held in the course of the year, in co-operation with the Reception Committee".

Mr. Rangaswami Iyengar who was present at the meeting, also urged the need for the creation of this post for expeditious and efficient work in the Congress Office.

Mr. Srinivasa Iyengar stated that the members were not fully posted with the details of this proposal and it was therefore necessary that it should be referred to the Working Committee for being considered in all its bearings.

Mr. Sambamurthi opposed the suggestion of the ex-President of the Congress for the postponement of this question and said that it was unfortunate that whenever Mr. Srinivasa Iyengar had in mind the idea to

postpone the consideration of the subject he wanted the House to refer it to the Working Committee. Such was the fate of the resolution regarding the habitual wearing of khaddar, the resolution on the boycott of British goods and so on. The subject now under discussion was known by every member of the House to be coming up at the meeting and it was surprising that this suggestion of postponement should be made by Mr. Srinivasa Iyengar.

Mr. Srinivasa Iyengar : No details have been placed before us.

Mr. Sambamurti : It does not require much of detail. The question is simple.

Mr. Jawaharlal Nehru pointed out that this was not a new proposal and it had been before the Committee a number of times previously.

Mr. Joglekar moved that the subject be referred to the Working Committee for a full report of proposals.

Mr. Pattabhi Sitaramayya seconded the motion and it was carried.

#### 4. — Neill Statue Agitation.

Mr. Sambamurti next moved the following resolution :—

"This Committee is of opinion that the Neill statue on the Mount Road, Madras is a standing insult to the respect of the citizens of Madras, the Indian nation and humanity itself inasmuch as he was guilty of many barbarous and blood-thirsty acts of revenge (such as wholesale burning of villages, the hanging and shooting and burning alive of thousands of men, women and children) and that the statue should not be allowed to continue to remain within the public view.

"This Committee congratulates the Neill statue Satyagrahis upon their bold initiative and sacrifice".

Mr. Pattabhi Sitaramayya enquired if any resolution had been passed by the committee in respect of the Lawrence statue.

Mr. Raja Rao (Under-Secretary) replied in the affirmative.

The resolution was carried unanimously.

The meeting then appointed a committee to consider the changes that are necessary in the Congress Constitution and the question of the re-organisation of the Congress Committee. The committee will consist of General Secretaries Mr. A. Rangaswami Iyengar and Mr. Sivaprakasa Gupta.

The All-India Congress Committee next passed the following resolution proposed by a member :—

#### 5. — Refusal of Passports.

"This committee condemns the action of the British Government in refusing passports to the deputation of the Sikh Gurdwara Prabhandak Committee to enable them to go to Shanghai to compose the acute differences among the members of the Sikh community there".

The meeting then adjourned sine die.

# The Unity Conferences.

In August 1927 as an immediate result of the agitation started in connection with the "Rangila Rasul" pamphlet, Maulana Shaukat Ali wrote on behalf of the Central Khilafat Committee to Dr. Moonji, President of the Hindu Maha Sabha, requesting him to agree to the calling of a meeting when representatives of the Central Khilafat Committee and the Hindu Maha Sabha could meet and discuss the communal situation and try and discover remedial measures. Dr. Moonji promptly responded to this invitation and as a consequence a conference was summoned at Simla which nominated a committee known later on as the Simla Unity Committee.

This Unity Conference which met on the 30th August, after three hours' discussion, issued an appeal over the signatures of a large number of Hindu and Moslem leaders, including the members of the Central legislature, beseeching both the communities to support them in their efforts to arrive at a satisfactory settlement, by refraining from doing anything that would have the least likelihood of disturbing public tranquillity. They deliberated in the firm determination that they must, by sincere co-operation, make one supreme effort to settle, once for all, the differences that divided them, and find out a permanent and equitable solution of all such differences. The following is the full text of the appeal :—

## The Leaders' Appeal.

We the undersigned deplore the communal differences that have most unfortunately grown up among our people and have created so much mistrust of each other, that on the slightest provocation or misunderstanding, some of our countrymen, Hindus and Mussalmans, come to blows and trivial incidents develop into heart-rending tragedies, involving loss of innocent life and property and embittering still further the relations between the two communities. It will be the greatest folly, indeed a sin, to fail to realise the extreme gravity of the situation. Apart from the impossibility of making any political advance in such circumstances, peaceful social existence itself is threatened. Those who are interested in misrepresenting us and lowering our national character in the estimation of the rest of the world have found in the present deplorable situation an excellent opportunity to carry on their campaign of vilification and misrepresentation and thereby retard our political progress, and delay our freedom. All this has made us firmly determine that we must sit together and by sincere co-operation make one supreme effort to settle once and for all, the differences that are dividing us and find a permanent and equitable solution of all such differences and inculcate and enforce, so far as it lies in our power, individually and collectively, mutual toleration.

We are determined to do this and seek divine guidance and support in our honest endeavours to restore peace, harmony and friendly relations between the various communities and to secure for our nation its honoured place in the ranks of the civilised and progressive nations of the world. But every fellow-countryman of ours can, we believe, understand that it will not be possible for us to concentrate our energies on the important issues that have to be settled if our attention is distracted by the deplorable incidents that are occurring with such heart-rending frequency. We, therefore, appeal to our fellow-countrymen with all the earnestness and fervour that we can command, to support us in our efforts

to arrive at a satisfactory settlement by refraining from anything that has the least likelihood of disturbing public tranquility. We appeal to them in the name of our Motherland, to respect each other's life, property, honour, religion and places of worship, to avoid giving offence and to vie with one another in forbearance and forgiveness. Violence and show of violence have, so far, benefitted neither community and cowardly cold-blooded murders and murderous attacks have harmed those that have indulged in them, not less than their victims. We place on record our deepest abhorrence of such wicked and inhuman acts. Indulging in insulting any religion and in scurrilous writings wantonly vilifying the founders of religions and other great religious personages, who are held in reverence by the followers of any religion, and thus outraging the religious feelings of our fellow-countrymen are still more wicked, and we equally earnestly place on record our deepest abhorrence of such acts. It is a matter of great relief and consolation to us to think, and we are glad to be able to convey this assurance to our countrymen, that no community as such has instigated, abetted or approved of such attacks and that it is wrong to blame any community as a whole for the misdeeds of any individual or individuals belonging to it, however gross their misconduct may be. We deeply deplore and condemn all inflammatory writings and speeches, which are calculated to promote hatred or ill-will among the communities and the efforts which are being made in certain quarters to bring about the economic boycott of one community by the other. We honestly feel that such a boycott is not only impracticable, but that all such efforts are sure to prove highly prejudicial to the best interests of both communities and the country as a whole, leading to further embitterment of their mutual relations and likely to result in further breaches of the peace.

Our appeal is addressed to every son of India and to every daughter of India, but in particular, we beseech those of our countrymen who make use of the Press or the platform to exercise great self-restraint in all they write or say and permit nothing to escape them which may offer the least provocation to any of their fellow-countrymen. We know that our previous efforts in this direction have not been crowned with the success we hoped for, but we are determined to make another effort and we are determined, with divine assistance, to succeed and we firmly believe that success is within our reach, if we devote ourselves heart and soul to this great purpose and if our fellow-countrymen also assist us to the best of their power and not distract us, by a continuance of the wretched outburst that have disgraced the Indian nation. May the Almighty and All-Merciful Providence that shapes our destinies give us the guidance and support that we sorely need to-day.

This Unity Committee sat at Simla from 16th to 22nd September. No conclusions having been reached on some of the principal points involved in the cow and music questions and others pending before the Committee not having at all been touched, some members were of the view that the Committee might break up. But the Hindu members pressed that the Committee should again meet on some future convenient date. The Muslim members of the Committee were at first divided in their opinion, but at last agreed to break up the Committee and the President was requested to summon a meeting if he received a requisition within six weeks from eleven specified members.

The following is a resume of the proceedings of the Committee supplied to the press by its Secretaries Mr. Jairamdas and Abdul Matin Chowdhury :—

### Official Report of the Proceedings of the Committee

#### The Cow Question.

The main committee met on the 16th under Mr. Jinnah's chairmanship. Questions relating to cow and music were discussed. On the 18th, it appointed a sub-committee, consisting of Pandit Malaviya, Dr. Moonji, Mr. Jairamdas, Rai

Kedarbhat of Delhi, Principal Diwanchand of Cawnpore, Sardar Sardul Singh, Hakim Ajmal Khan, Dr. Ansari, Maulana Abul Kalam Azad, Maulana Mahomed Ali and Dr. Kitchlew. The sub-committee discussed, on the 18th, the cow question. The main committee discussed the music question on the 18th and 19th, and also referred it to the sub-committee. The sub-committee sat from the 18th to 22nd and submitted, last evening (22nd.) the following report :—

"The sub-committee dealt with the cow question and the music question, and considered the various drafts submitted to it. Ultimately, the following final draft of the Hindus relating to the cow question was considered :—(1) In places having municipalities, town committees and notified areas committees, the slaughter of cows shall be confined to slaughter houses licensed for the purpose ; (2) in places other than those mentioned in the preceding clause, cows shall not be slaughtered except in places specified for the purposes outside the populated area and not exposed to public gaze ; (3) cow slaughter shall not take place in any place where it has not taken place before ; (4) in towns or villages which may hereafter come into existence, the question of slaughter of cows shall be determined by agreement between the Hindu, and Sikh and Muslim communities residing there ; (5) cow slaughter shall not take place in any city, town or village which is held in religious sanctity by the Hindus or Sikhs, except where it is established that cow slaughter has been taking place for a reasonably long time ; (6) no cow for slaughter shall be led in procession or with any demonstration and the routes shall be determined by agreement between the Hindu, Sikh and Muslim communities residing in the place ; (7) sale of beef or pork shall be registered to places licensed for the purpose ; (8) where slaughter of animals for sale of meat is permissible on other grounds no objection shall be taken to the method of slaughter whether by Jhatka Bali or Zibah."

The Muslim members of the sub-committee did not agree to the above draft except on some points as stated below. They objected to clauses (2) and (3). With regard to (4) they objected to any reference to Sikhs, since the Sikhs have made no demands. Regarding clause (5), the Muslim members stated that they would consider it when a list of such sacred places was supplied to them. They also objected to the reference to the Sikhs, on the same ground as above. They agreed to clause (6) except for its reference to Sikhs. They disagreed with clause (7) but agreed to clause (8) provided the list referred to in (5) was supplied and agreed upon.

The final Muslim draft on the cow question was as follows :—(a) Hindus must not expect that the exercise of the right of Muslims to slaughter and sacrifice cows in any town or village can or will be stopped by the use of force, or by an act of the legislature or by a resolution of a local body or by the order of a court ; but must trust to the establishment of better relations between the two communities to create greater regard for their feelings, (b) every Muslim is entitled in a town to sacrifice and in a village to slaughter or sacrifice a cow in any building or enclosure which is not open to the gaze of the Hindu passers-by, provided that if it is already laid down by the law in any province or part of a province, that cows can only be slaughtered or sacrificed in towns in a slaughter-house, they shall not be slaughtered or sacrificed in any place other than a slaughter-house, (c) all public thoroughfares shall be open for taking cows for slaughter and sacrifice, but they shall not be taken in a procession, nor shall there be any demonstration in this connection, (d) no restriction shall be imposed on the sale of beef or pork, (e) no restriction shall be imposed on the manner of slaughter of any animal whether by Jhatka Bali or Zibah, or on the opening of shops for the sale of meat of any animal slaughtered in any of these ways.

The Muslim members also proposed two other alternative drafts. The first runs :—"No restriction shall be imposed either on the right of any community in any part of India to slaughter or sacrifice any animal, whether, a cow, goat, sheep or swine, or on the manner of its slaughter, whether Jhatka Bali or Zibah, but no cow shall be slaughtered or sacrificed except in a slaughter-house provided for the purpose. Where slaughter-houses do not exist at present, they shall be provided, and licences shall not be refused by the competent authority whenever an



application is made to it for opening a slaughter house or shop for the sale of meat of any animal slaughtered in any manner."

The second Muslim alternative was: "The Hindus should not be prevented from playing music before mosques at any time they like, nor should Muslims be prevented, from making any cow sacrifice or from cow slaughter in such manner as they like."

The first of these three proposals was not accepted by the Hindu members except the second part of clause (c) and the first part of clause (e). The other two alternative drafts were not agreed to by the Hindus.

### MUSIC BEFORE MOSQUES.

As regards the question of music, the Mus'im proposal was as follows:

"While it is the right of every community to take processions with music along the public thoroughfare, it must not do so in a manner calculated to interfere with the right of the Mussalmans to undisturbed congregational worship when such a procession is passing a mosque in which congregational worship is going on at the time." This was not accepted by the Hindus.

The Hindu proposal regarding music ran as follows:

"There shall not be any objection taken to, or any kind of restriction placed on the passing of Hindu or Sikh processions of any kind accompanied by music at any time along public thoroughfares having mosques or to the performance of 'arti,' the playing of music or the playing of 'shang' in private or public temples, buildings or places, at any time, even if such temples buildings or places are situated in front of, or in proximity to, a mosque, provided that any processional music, except religious music, shall not be played before old historic mosques such as the Jumma Masjid of Delhi, before which it has not been played for a long time."

The above proposal was not accepted by the Muslim members.

Dr. Moonji moved the following, which was supported by the Hindu members of the sub-committee:—"The sub-committee has very carefully considered and discussed the draft formulae on the cow and music questions submitted on behalf of the Hindus and Muslims. The sub-committee find that there are some points, on which agreement may be easily possible; and yet, there are some on which agreement does not seem to be likely at the present moment, and which therefore require further consideration. The sub-committee, therefore, recommends that the main committee be adjourned to some suitable day, after a month or so."

The Muslim members suggested that this should be left to the main committee which met at 3 p. m. yesterday in the committee room of the Assembly Chamber. The sub-committee's report was submitted; and, after discussion, the main committee unanimously adopted the following resolution:—"This meeting stands adjourned; but Mr. Jinnah will call a meeting of the Unity Committee within three weeks of receiving a unanimous requisition from the following gentlemen within six weeks from to-day:—Maulana Abul Kalam Azad, Hakim Ajmal Khan, Dr. Ansari, Maulana Mahomed Ali, Dr. Kitchlew, Pandit Malaviya, Lala Lajpat Rai, Dr. Moonji, Rai Kedarnath, Mr. Jairamdas and Sirdar Ujjal Singh."

Before dispersing the main committee issued the following appeal in the form of a resolution: "This committee is distressed to find that several Hindu-Muslim riots have occurred since it was constituted, leading to loss of many Hindu and Muslim lives and of property and inflicting much injury on many of our brethren. This committee earnestly appeals to all people and all men of light and leading throughout the country, to use their best endeavours to prevent such riots, to put an end to communal tension and to persuade their co-religionists not to take the law into their own hands even under provocation. It also appeals to the people to establish local unity boards for preventing disturbances, and to compose the difference and promote mutual good will."

### Muslim Members' Statement.

The following statement was issued by Mr. Shafi Daudi, Secretary, Muslim Members, Unity Conference. It was stated that it had the assent of practically all the leaders of Moslem public opinion in India :—

So long as the leaders of the Hindu, Muslim and Sikh communities were engaged in a discussion to arrive at a satisfactory settlement of the differences that are unfortunately disturbing the peaceful and friendly relations which should exist between the various communities which form the population of our motherland, it was not considered advisable, in the interest of the success of the negotiations that were going on, to publish any information regarding the progress of the discussion. But, now that the labours of the Conference have reached a definite stage, we owe it to the public, as much as to ourselves, to place a summary of what has been done so far, in order that the public may know the real situation, and may advise those representing it whether to adhere to the proposals they have already formulated, or to modify them with a view to arrive at an early settlement.

Through an unfortunate inadvertence, the Secretaries of the General Committee have published only the report which the Select Committee, to which the cow and music questions were referred, have made through the chairman to the General Committee, and consequently the views proposed on the cow question by the Hindus in the General Committee before the issue was referred to the Select Committee, have not been published. Their statement is therefore incomplete, and has consequently induced us to publish this fuller statement.

#### Khilafat Committee's Letter to Hindu Sabha.

The Working Committee of the Central Khilafat Committee met at Simla, on the 27th August to consider the unfortunate situation created by the growing tension between the Hindus and the Muslims, and addressed the following letter to the President, Hindu Mahasabha :—

"My dear Dr. Moonje,—After a period of most remarkable amity and goodwill between the various communities we have been experiencing, for the last five years, a most unfortunate tension between the Hindus and the Mussalmans, which has resulted in sporadic outbursts in different parts of India. The Congress in the special session held at Delhi in 1923 endeavoured to restore the amity and goodwill that had prevailed until 1922: but obviously it failed. A year later, the Unity Conference at Delhi made a still more strenuous endeavour for the same purpose, but in its ultimate results that too, alas, proved sterile. The sporadic outbursts of 1922, 1923 and 1924 have been occurring with increasing frequency in the years that followed, and, to-day, one almost expects to read in the daily newspapers of one or two such deplorable incidents somewhere every day. But the increasing frequency of such outbursts is not their worst feature. It is now clear that communal aggression is becoming organised; and, in fact, it will be an abuse of language to characterise the recent occurrences as mere outbursts of the unruly passions of some individuals only.

"The Central Khilafat Committee has consistently worked, all through this period, for unity and co-operation between the Mussalmans and the sister communities and has not infrequently courtied and actively incurred unpopularity in the Muslim community, by condemning such excesses as could be attributed to the Mussalmans, inculcating patience and self-control and by remaining almost silent with regard to the excesses that could be attributed to the Hindus. But, to-day, the state of affairs is so deplorable that the Khilafat Committee, if it seeks to serve the interests of India and the Indian nation, cannot remain silent any longer. My Working Committee considers it necessary to warn the entire nation that, if this state of affairs is allowed to continue unchanged, even for a few months longer, the country will drift into a civil war. I trust that your organisation will not fail to appreciate the gravity of such a situation; and, it earnestly invites you and the leaders of the Congress, to co-operate with it to try to put an end to all communal aggression and to stem the tide of communal distrust and hatred. My committee has directed me to request you to fix a very

early date when the representatives of the Central Khilafat Committee could meet the representatives of the Congress, and discuss the present situation, and try to discover the methods that will prove most effective in ending the deplorable state of affairs and in paving the way for communal harmony and friendship. The Committee is also seeking the co-operation of other important political and communal organisations in the country. And, looking to the seriousness of the danger which is threatening our body politic, it would like to place the result of these discussions and deliberations before the Central Khilafat Committee, when it meets early in October, for the purpose of deciding the line of action it should adopt.

"The Khilafat Working Committee is most anxious to restore and even improve upon the excellent relations prevailing between the various communities in 1920 and 1921, and should like to emphasise that the future depends, to a very great extent, upon the response that is received to this earnest invitation from your organisation. I trust that it will be received by you in the spirit of sincere co-operation in which it is addressed to you—Shaukat Ali."

A copy of the letter was also sent to the President, Indian National Congress, on the 28th August 1927. Dr. Ansari and Mr. Shauib Qureshi, who were deputed by the Working Committee for the purpose, discussed the contents of the letter with Dr. Moonje and with other Hindu Mahasabha leaders like Pandit Madan Mohan Malaviya, Lala Lajpat Rai and Messrs. Kelkar, Jayakar and Aney. As a result of these discussions, the Hindu Mahasabha leaders suggested that a preliminary discussion should take place between the Hindu and Muslim leaders then present at Simla.

#### Preliminary Meeting of Leaders.

In the meantime, the Working Committee got into touch with other responsible Muslim leaders present at Simla, with a view to secure their co-operation. On the 29th August 1927, a meeting of the Hindu and Muslim leaders took place in one of the committee rooms of the Assembly Chamber. Discussion was opened by Mr. Kelkar, who suggested that we might begin where the communal question was left by the All-India Congress Committee after its acceptance of the Delhi proposal, and proposed that the question of communal representation be taken up for discussion. But Lala Lajpat Rai suggested that, although that was an important enough matter, there were others also that deserved our serious attention.

It was finally agreed upon, that a list of the points of difference between the two communities, should be submitted on behalf of each community to Mr. Jinnah, who had been elected as the Chairman of the Conference. Pandit Madan Mohan Malaviya proposed and it was agreed upon that Dr. Gokal Chand Narang and Mr. Shauib Qureshi should draft an appeal to the public so as to give an opportunity to the leaders of the two communities, who were about to assemble to continue their deliberations undisturbed and undistracted by the tragic occurrences such as were taking place only too frequently. On the 30th August the draft appeal was discussed and after slight additions and alterations it was agreed to and signed by the Hindu, Muslim and Sikh leaders present. A prayer was also offered for the success of this noble endeavour and it was decided that the conference should take place on the 7th September.

#### Differences in the General Conference.

The conference was accordingly opened on the 7th in the Brahma Samaj Mandir. But, when the Hindu and Muslim lists of the points of difference that tend to divide the two communities was read, it was found that the Hindu list excluded all political differences, which, no less than other differences, are in the opinion of the Mussalmans responsible for the present deplorable state of affairs and are in reality at the bottom of the inter-communal struggle that is going on to-day. This caused us very great surprise. It was impossible to reconcile this with Mr. Kelkar's own speech in which he wanted to inaugurate the conference with the political questions involved in the Delhi proposals and All-India Congress Committee resolution accepting them. Our surprise was still further increased when Dr. Gokal Chand Narang rose to propose that all political questions should

be eschewed, as if a settlement of the Hindu-Muslim disputes was possible without a settlement of the political claims of the two communities.

After considerable discussion, a sub-committee was appointed for settling this question and preparing an agenda for the conference. When it met on the 18th September, only Dr. Moonje and Dr. Gokal Chand Narang attended on behalf of the Hindu members and dictated a note against the inclusion of political questions in the agenda. Sir Mahomed Shafi and Maulana Mahomed Ali dictated a note on behalf of the Muslim members insisting on the inclusion of political and economic questions also. When Mr. Srinivasa Iyengar returned from the Assembly meeting, which had kept him busy the whole day, and learnt that the two Hindu members of the sub-committee had dictated a note on behalf of all the Hindu members, he wrote a minute of dissent, strongly disagreeing with these two Hindu members and agreeing with the unanimous opinion of the Mussalman members.

#### Sub-Committee on Cow Question.

Mr. Jinnah, Chairman, announced this disagreement to the conference, when it met in the evening. As it was feared that the conference would break up on that issue, the Hindu members began to relent, and the matter was referred back to the sub-committee. The sub-committee agreed to the inclusion of all the points of difference whether political, economic, religious or social, but recommended that the settlement should be left to a committee consisting of 15 Hindus, 15 Muslims and 5 Sikh representatives, selected respectively by the Hindu, Muslim and Sikh members of the conference, subject to ratification by the organisations representing these communities. It was also recommended that questions common to the two lists, in other words, social and religious questions, should be discussed first and that the political and economic questions excluded by the Hindus from their list and included in the list submitted by Muslim members, should be discussed later. Subsequently the number of representatives was raised to 25 Hindus and 25 Mussalmans and 8 Sikhs. These recommendations were accepted by the conference, when it met on the 9th September.

On the 10th September, an informal meeting of the members of the committee thus selected who were present at Simla, decided to begin work formally on the 16th September and go on with the meeting from day to day, till they had settled all the points at issue.

On the 16th September the Committee commenced its work in one of the committee rooms of the Assembly under the chairmanship of Mr. Jinnah, who called upon the Hindu members to formulate their demands with regard to cow-slaughter and cow-sacrifice. And in response to this, Prof. Diwanchand proposed as follows :—(a) slaughter of cows should be confined to the buildings and enclosures already specified for the purpose, and to the towns and villages in which it was taking place before the year 1922. (b) Cows for sacrifice should not be led in procession or with demonstration to places or by routes hitherto not used for that purpose, (c) the sale of beef or pork should be restricted to places specified for the purpose, (d) no objection should be raised by any community to the method of slaughter or to the opening of shops for the meat of the animals slaughtered excepting beef or pork.

On the 17th September, Maulana Mahomed Shafi Daudi proposed as follows:—“(a) The Hindus must not expect that exercise of the right of the Muslims to slaughter and sacrifice cows in any town or village, can or will be stopped by the use of force or by the resolution of a local body or by an act of legislature or by the order of a Court, but must trust to the establishment of better relations between the two communities to create greater regard for their feelings; (b) every Muslim is entitled to slaughter and sacrifice cows in any building or enclosure which is not open to the gaze of the Hindu passersby, provided it is not already laid down by law in any province or part of a province, that cows can only be slaughtered and sacrificed in slaughter houses; (c) all public thoroughfares shall be open for taking cows for slaughter and sacrifice, but they shall not be taken in procession, nor shall there be any demonstration in this connection; (d) no restriction shall be imposed on the sale of beef or pork; (e) no restriction

shall be imposed on the manner of slaughter of any animal whether by jhatka, bali or zibah or on the opening of shops for the sale of the meat of any animal slaughtered in any of the above ways."

This was discussed and in the course of the discussion, Mr. Kelkar suggested to the Mussalmans to extend their acceptance of the Act of legislature already passed, which governed the Muslim practice in a part of the Punjab, and offer to accept the same rule for the rest of India. The Act laid it down that cow slaughter should be confined to slaughter houses and enforced the practice of sacrificing cows in private buildings and enclosures in the towns and villages.

On this Mr. R. S. Kedar Nath proposed as follows:—The slaughter of cows shall be confined to the slaughter houses already established for the purpose of cow slaughter by the Government or by any local body. In a village where a slaughter house does not exist, the slaughter of cows shall be confined to buildings or enclosures which have been specified for the purpose by the Government. A slaughter-house for the slaughter of cows shall not be established in any town or villages where slaughter of cows has not taken place before. The sale of beef or pork shall be restricted to the places specified for the purpose. When the slaughter of an animal or the sale of meat is permissible on other grounds, no objection shall be taken to the method of slaughter whether by jhatka, bali or zibah.

#### Cow-Slaughter Question.

Mr. R. S. Kedar Nath, demanded the surrender of the right of the Muslims established all over India except in a part of Delhi and the Punjab, to sacrifice cows in their own houses and enclosures, which Professor Dewanchand had not demanded. This was not all. He also demanded, that a slaughter-house for the slaughter of cows shall not be established in any town or village where slaughter of cows had not taken place before. The Muslim attitude throughout this discussion, was illustrated by Dr. Kitchlew's ready response to Mr. Kelkar's suggestion: for, he proposed as follows:—No restriction shall be imposed on the right of any community, in any part of India, to slaughter or sacrifice any animal, cow, goat, sheep or swine, nor on the manner of its slaughter, whether jhatka, Bali or Zibah; but no cow shall be slaughtered or sacrificed except in a slaughter-house provided for the purpose. Where slaughter-houses do not exist at present they shall be provided, and licences shall not be refused by the competent authority whenever an application is made to it for opening a slaughter house or a shop for the sale of the meat of any animal slaughtered in any manner.

It may be stated for the sake of absolute precision that, through inadvertence, the original proposition of Dr. Kitchlew confined the sacrifice of all animals to slaughter-houses; But, since the Hindu leaders demanded confinement of the sacrifice of cows only to slaughter houses, the original proposition was accordingly corrected. But the Hindu leaders refused to accept this proposition also and Pandit Madan Mohan Malaviya finally proposed as follows: (1) In places having municipalities, town committees, notified area committees or sanitary committees, the slaughter of cows shall be confined to slaughter-houses licensed for the purpose; (2) in places other than those mentioned in the preceding clause, cows shall not be slaughtered except in a place outside the populated area and not exposed to public gaze; (3) cow slaughter shall not take place in any place where it has not taken place before; (4) in towns or villages which may hereafter come into existence, the question of slaughter of cows shall be decided by a joint board of the Hindu and Muslim inhabitants of the area; (5) cow slaughter shall not take place in any city, town or village which is held in religious sanctity by Hindus and Sikhs; cows shall not be led for slaughter in procession or with a demonstration or be led to places or by roads not used for the purpose before 1922; (7) sale of beef or pork shall be restricted to places licensed for the purpose; (8) where slaughter of animal or sale of meat is permissible on other grounds, no objection shall be taken to the method of slaughter whether by jhatka Bali or Zibah.

It was contented on behalf of the Muslims, that Hindu feelings were more likely to be hurt if a large number of cows intended for sacrifice were brought

home and subsequently led by their attendants to the slaughter house of the town and their meat brought home than if they were quietly slaughtered by individual Mussalmans in their own homes and enclosures.

But Pandit Madan Mohan Malaviya said that it hurt the Hindu feelings far more to know that cows were being sacrificed inside the populated areas and in the Mohallas in which there was a mixed Hindu and Mahomedan population, than it would if they were sacrificed in the slaughter houses.

#### Matter Referred to Select Committee.

After considerable discussion, lasting for 3 days, it was decided, on the 18th September, to refer this and the Muslim resolution and also Dr. Kitchlew's proposition to a select committee composed as follows:—(1) Pandit Madan Mohan Malaviya; (2) Mr. R. S. Kedernath; (3) Dr. Moonje; (4) Prof. Dewan Chand; (5) Mr. Jairamdas Daulatram (selected by the Hindus); (6) Sirdar Sardul Singh (selected by the Sikhs); (7) Hakim Ajmal Khan; (8) Dr. Ansari; (9) Maulana Abul Kalam Azad; (10) Maulana Mahomed Ali; (11) Dr. Kitchlew (selected by the Mussalmans).

This select committee discussed the resolution, but no agreement could be reached. Mr. S. Srinivasa Iyengar proposed that the basic principle which should guide the performance of religious ceremonies of either community must be freedom to act according to their religion and that no restrictions should be imposed by one community on the other. Accordingly, cow slaughter and cow sacrifice and the playing of music before mosques must be left to two communities, and they should be free to do what they deemed proper. Mussalmans must have freedom to slaughter and sacrifice cows as they liked, and the Hindus must have equal freedom to play music before mosques as they liked. This seemed to him to be the only logical, effective and statesmanlike solution of the knotty problem before them. He trusted to the good sense of the two communities and the establishment of better relations between them to induce them to exercise rights in a manner that would not outrage the feelings of others. The Mussalmans agreed to it, but most of the other Hindu members indignantly refused to accept this proposition and even to discuss it.

#### Music Before Mosques.

In the meantime, the question of music before the mosques was considered and the Mussalmans who had been called upon by the Chairman to formulate their demand, first proposed (through Maulana Mahomed Ali) as follows:—While it is the right of every community to take out processions with music along public thoroughfares, they must not do so in a manner calculated to interfere with the right of the Mussalmans to undisturbed congregational worship in their mosques; and the playing of music must cease when such processions are passing mosques in which congregational worship is going on at the time.

It was explained that with regard to the prayer offered before sun-rise, no conflict was likely to occur, as Hindu and Sikh processions were not taken out before sun-rise. As regards the time of other prayers, it was explained that congregational prayer did not take long to offer. In case congregational prayers had already commenced in a mosque, Hindus or Sikhs, who believed that it was wrong to stop the music accompanying their religious processions even for so short an interval, could stop their processions at a safe distance from the mosque. Where congregational prayers had not commenced, it could be delayed for a few minutes till the processions had passed, except in the case of Maghrib or sun-set prayer, which must be offered in all the mosques immediately after the sun had set and could not be delayed, and which would be generally over in a quarter of an hour or 20 minutes. Tarweeh or recitation of the Quoran during the Ramzan at nights, lasting for about an hour and a half was a special prayer and needed special treatment.

The Sikhs were agreeable to accept this proposal, but Pandit Madan Mohan Malaviya thought that conflicts would still arise on the question whether congregational worship was going on or not at time when the music procession was passing the mosque.

The system now being followed by the Calcutta authorities, was then explained by Mr. Shaheed Suhrawardy, according to which "Zuhr, Aar, Maghrib" and "Isha" prayer-times were ascertained and announced beforehand by the Commissioner of Police after due consultation with the Imams of the mosques in the localities through which the musical processions had to pass. In the licenses issued, the Hindus were ordered to stop music while passing before mosques during the times specified.

This too was not agreeable to the Hindu members and they were therefore called upon to formulate their views which they did in the following terms:

"There shall not be any objection taken to any kind of restriction being placed on the passing of Hindu or Sikh processions along public thoroughfares having a mosque or mosques on either side, or to the performance of art, the playing of music or the playing of "shang" in private or public temples, buildings or places at any time, even when such temples, buildings or places are situated in front of or in proximity to a mosque, provided that any processional music shall not be played before such old historic mosques as the Jumma Masjid of Delhi, before which it has not been played for a long time."

It will be noted that, while the fullest freedom is claimed by the Hindus for themselves in this proposition and nothing is mentioned about the right of the Mussalmans to undisturbed congregational worship in their Mosques, the provision is indeed to restrict the existing usage also, since music both mundane and religious is to be allowed to disturb congregational prayers in all Mosques except in such old historic Mosques as the Jumma Majid of Delhi.

Mr. Shaheed Suhrawardy desired that in places where music may be played before Mosques, the following conditions shall be observed: (1) Processions obviously organised as demonstrations should not be allowed, (2) new processions should be discontinued, and none be organised in future, (3) the processions must pass by Mosques without any demonstrations e. g., stopping before the Mosques or shouting or challenging or playing of music louder than in other places. If they were to do so permission to take out processions should not be given in future.

The Select Committee considered the two questions, but could not arrive at any settlement agreeable to the two communities. The Mussalmans had adopted the suggestions of the two Hindu members, Mr. Kelkar and Mr. Srinivasa Iyengar as their own, as two alternatives to their own proposal regarding the cow question, but they were rejected by the Hindu members of the Select Committee. As regards the final proposals of the Hindus on the cow question, the Mussalmans could not agree to Nos. 1 and 2, which sought to confine cow sacrifices to the existing slaughter houses and to confine new slaughter-houses to places outside the populated areas. Nor could they agree to propos. 1 No. 3, which sought to deprive the Mussalmans of any right to slaughter and sacrifice in places not used for the purpose before, including not only towns and villages, but also houses and enclosures.

Similarly, the Mussalmans could not agree to any restrictions being placed on beef-shops, as they are opened only where there is demand and nobody is likely to open a beef-shop in the Hindu quarters to annoy the Hindus, as the absence of demand is certain to doom it to a costly failure. As regards the other Hindu proposals, we stated that we were prepared to accept No. 4. It was worded as follows:—"In towns or villages which may hereafter come into existence, the question of the slaughter and sacrifice of cows shall be determined by an agreement between the Hindu and Muslim inhabitants of the place." We however, added that it must not be understood to mean that unless, and until, the Hindus agreed to cow slaughter and cow sacrifice, they could not take place.

As regards the Sikhs, about whom Sirdar Kharak Singh said that they were a separate community and neither Hindus nor Muslims, no demand was made by that community to stop or restrict cow slaughter and cow sacrifice. We said the same thing with regard to No. 6. The agreement as to routes, must be between the Hindus and the Mussalmans only, and the Sikhs must not be dragged in needlessly, and it must not be assumed that Mussalmans could not lead cows by a route unless and until the Hindus had agreed to it. As regards No. 5,

we were prepared to discuss it, if a list of Hindu sacred places was given to us, and it was agreed that this restriction was desired only for such sacred places in which it was established that neither cow-slaughter nor cow sacrifice was taking place before. We did not agree to the addition to No. 5 of the words suggested by the Hindus, "except where it is established that cow slaughter has been taking place for a long time or for a reasonably long time." We do not want to sift the burden of proof from the Hindus to the Mussalmans. The words "a reasonably long time," are too vague and in fact dangerous, as many Hindu members of the select committee considered 5 years to be a reasonably long time, and not more than one member was prepared even to make it 10 years. When a list of sacred places is given to us, we shall consider the proposal; it is agreed upon to have no cow slaughter or cow sacrifice in any sacred place.

After this, our own first proposal was read out, and the Hindus refused to agree to clause (a), which was taken from the resolution of the 1921 Unity Conference.

Even the following modified clause was not acceptable to the Hindus:—  
(b) Every Muslim is entitled in a town to sacrifice a cow in any building or enclosure which is not open to the gaze of the Hindu passers-by, provided that if it is already laid down by law in any province or part of a province, that cows can only be slaughtered or sacrificed in towns in slaughter houses, they shall not be slaughtered or sacrificed in any place other than a slaughter house.

As regards Clause (c) the first part, which declared that all public thoroughfares shall be open for taking cows for slaughter and sacrifice, was rejected by the Hindus. Only the second part, declaring that they shall not be taken in procession, nor shall there be any demonstration in this connection, was accepted.

Clause (d) which was against imposing any restrictions on the sale of beef or pork, was also rejected. As for (e) the first part, which was against imposing any restrictions on the manner of slaughtering any animal whether by jhatka bali or Zibah, was accepted; but the second part, which was against imposing any restrictions on the opening of shops for the sale of meat of any animals slaughtered in any of the ways mentioned above, was rejected. As we have stated above, the two alternatives suggested respectively by Mr. Kelkar and Mr. S. Srinivasa Iyengar were also rejected by the Hindu members.

It may be added that the chairman asked the Hindu members, if they would endorse the resolution with regard to the cow question which had been passed in the Unity Conference held at Delhi in 1924, but they declined to do so. Thus ended the discussion on the cow question, and it need not be emphasised by us that we explored every avenue that could lead to the stoppage of local quarrels over cow slaughter and cow sacrifice. But, obviously, most of the Hindu members, did not seek to stop these wretched quarrels, but rather sought to curtail, if not stop, cow slaughter and cow sacrifice and to deprive the Mussalmans of their right.

No agreement was reached in the select committee also with regard to music before mosques. When the chairman presented the report of the select committee to the general committee, Dr. Moonje moved the following resolution which was supported by the Hindu members of the select committee. "The sub-committee has very carefully considered and discussed the draft formula on the cow and music questions, submitted on behalf of the Hindu and Muslims. The committee find that there are some points on which agreement may be easily possible. Yet there are some which require further consideration. The sub-committee therefore recommends that the main committee be adjourned to some suitable day after a month or so."

#### Hindu Leaders' Attitude Criticised

The Mussalman members had noted how the Hindu members of the conference had selected for this committee almost exclusively those of a particular school of thought, and had eliminated some very important members of the Hindu community, whose presence was likely to be very useful in arriving at a settlement. Even the President of the Congress, who had been elected a member of the General Committee by the Conference, was excluded from the Select Com-



mittee by the Hindu members of the General Committee, in favour of far less eminent persons. Moreover, it had been noted that the Hindu leaders who dominated the conference, the General Committee and the Select Committee had, for some reason, avoided private conferences with Muslim leaders, which had been arranged with them; and their absence from and late arrival at the sub-committee's meetings, did not at any rate seem to indicate an excess of zeal for an early settlement. As for the views they expressed in the meetings they did attend, we need offer no comment, since the proposals they formulated at various stages of the discussion are the best illustrations of their attitude.

#### Adjournment of Conference

In view of these facts, the Mussalman members could not be very enthusiastic with regard to Dr. Moonje's resolution, nor be very optimistic about the result of any further negotiations, without a change of attitude. But they were anxious to avoid any total break up of the Conference. It was therefore explained on their behalf, that they were greatly disappointed at the way the discussions had proceeded, and that if they were to be invited to another meeting merely to be persuaded by the Hindu members to accept the proposals which the latter had already formulated, they were not inclined to accept such an invitation. If the Hindu members offered new proposals hereafter they would gladly respond to their invitation and would consider them as carefully and with as great a will to reach an equitable and statesmanlike settlement, as they had considered the proposals already formulated. Thereupon, the following resolution was finally adopted:—"This meeting stands adjourned, but Mr. Jinnah will call a meeting of the Unity Conference within three weeks of receiving a unanimous requisition from the following gentlemen within six weeks from to-day:—Maulana Abul Kalam Azad, Hakim Ajmal Khan, Dr. Ansari, Maulana Mohamed Ali, Dr. Kitchlew, Pandit Malaviya, Lala Lajpat Rai, Dr. Moonje, Rai Kedarnath, Mr. Jairamdas and Sardar Ujjal Singh." Mr. Shaheed Suhrawardy suggested that, in the meantime, Hindus and Mussalmans should try to adjust their differences through local unity boards, and whenever trouble was apprehended, the orders of the authorities should in the first instance be obeyed pending a settlement, and that the members of neither community, should take the law into their own hands.

Before dispersing the General Committee issued the following appeal in the form of a resolution which was adopted:—"This committee is distressed to find that several Hindu-Muslim riots have occurred since it was constituted, leading to the loss of Hindu and Muslim lives and property, and inflicting much injury on many of our brethren. This committee earnestly appeals to the people and to all men of light and leading throughout the country to use their best endeavour to prevent such riots, to put an end to communal tension and to persuade their co-religionists not to take the law into their own hands even under provocation. It also appeals to the people to establish Local Unity Boards to prevent disturbances, to compose differences and to promote mutual good-will."

## The Calcutta Unity Conference.

CALCUTTA—27TH & 28TH OCTOBER 1927.

The Simla Conference having failed Mr. Srinivasa Iyengar called another Unity Conference at Calcutta which met on the 27th October and continued till the next day when the question of music before mosque and cow-slaughter were taken together and a formula to the satisfaction of all was found. The following is a full report of the proceedings of the Conference:—

On the opening day (27th) Mr. Srinivasa IYENGAR opened the proceedings with an introductory speech explaining the situation in which the Conference met. Mr. Iyengar at the outset wanted to dispel the misunder-

standing that had arisen in some quarters as to the object of the Conference. He then proceeded to detail the circumstances which led to the calling of the Conference. The All-India Congress Committee was charged by the Gaubati Congress to bring about a settlement of the Hindu-Moslem differences by the 30th March or April. In a formal meeting of the Working Committee some further resolutions were passed. Taking the practical side of the question first, he consulted his colleagues at Delhi, both Hindu and Mahamdan, about this matter. Mr. Motilal Nehru met the members of the Hindu Mahasabha at a party where certain tentative resolutions were arrived at. Mr. Jinnah and his friends met in a conference and arrived at what was called the Delhi proposals.

He tried also if similar proposals could be passed by the Hindu Sabha, but he failed. The A. I. C. C. meeting at Bombay adopted the Delhi proposals after discussing them from their own point of view and after most anxious consideration.

So far as the Unity Conference at Simla was concerned he expected that some settlement would be arrived at and he also felt that it might be left to the Hindu Mahasabha and the Moslem League, and the Congress would not step in unless they failed. Dr. Ansari also took the same view. So far as the present Conference was concerned there was no question of over-riding the Hindu Sabha or the Moslem League.

On the first day of the Conference at Simla, Moslem members said that at the Conference only political questions should be taken up, while the Hindu members said that only social and religious questions should be taken up. But afterwards a committee was formed and agenda drawn up. In that committee the Hindu Mahasabha was fully represented, so also the Moslem League, but not the Hindu Congressmen. The only question that was sought to be thrashed out was that relating to music before mosque question and cow-killing. When the Conference separated it was said that if there was no requisition for the re-assembling of the Conference within a certain time the Conference would be dissolved. In the manner in which the Conference broke there was no possibility of the Conference meeting again. After that the situation grew worse. Stabbing attempts at assassinations and other crimes at Lahore, Poona and other places became so rampant that he felt that some steps should be taken to put a stop to these things. The Congress could not abdicate its functions. Its position had already been seriously undermined by the activities of the communal organisations. He was criticising both the Hindu Sabha and the Moslem League. If Swaraj meant adjustment of communal differences, they must come to some amicable settlement. Violence produced violence. He did not know if Swaraj was coming that day or the day after, but he did know that if Hindus and Mahomedans did not compose their differences it was impossible for them to achieve their communal prosperity even.

Proceeding further he said that this Conference was not hatched in conspiracy. It did not supersede the Hindu Sabha or the Moslem League. It was only trying to do what they failed to accomplish.

He did not make that statement by way of polemics. There should not be any misunderstanding that Congressmen were trying to jockey the Hindu Mahasabha and the Moslem League out of their respective spheres of work. Those organisations have their legitimate scope e.g. education, social uplift and religious affairs. These dissensions could not be solved com-

munally but they required a national solution. It would be a bankruptcy of Indian intellect and heart if they could not arrive at some solution of these troubles.

Mr. MOHAMMAD ALI who next followed also traced the steps leading to the calling of the Conference. In the course of his speech he condemned the murders that had taken place. He said he felt very miserable about those wretched murders and he felt more so about the wretched riots. He said that too much had been made of murders by "Charash-smokers" and it was unfair to demand that men of the position of Dr. Ansari should go out and condemn them. At the Simla Conference Mahomedans selected their representatives of the Committee who were all Congressmen.

As to the jurisdiction of the Congress he wanted to emphasise what the President had said that it was the work of the Indian National Congress. If the two communities are breaking their heads and committing all sorts of crimes it was the prerogative of the Indian National Congress, as the supreme national institution, to put a stop to this.

The Moslems kept away from the Congress for sometime and now Dr. Moonje and Pandit Malaviya and others were doing so. They came to the National Congress to make it national and they would not leave it unless they are driven out of it. They met for Swaraj. They met for common social existence. It was extremely ridiculous that they were fighting for such things as cow-killing and music before mosque. While the Bengal detenus were rotting in jails it was extremely pitiable that they were engaged in such petty squabbles.

Mr. T. PRAKASAM said that the Congress had allowed the matter to drift for the last five years. It was due to the criminal negligence on the part of the Congress and Khilafat leaders that the present state of things had come to pass. The situation was very serious and they should devote to it most anxious deliberation. He requested that after the present Conference had finished its deliberations there should be joint Conference with Lala Lajpat Rai, Dr. Moonje and other leaders.

Babu Bhagawan DAS appealed to the Hindus and Mahomedans to deal with the fundamental cause of the whole trouble on their real spiritual basis both in their political and religious aspects. He said no pacts or temporary palliatives would solve the present difficulties. Solution lay in spiritualising religion and politics.

Mr. J. M. SEN-GUPTA said that on three main questions dispute between Hindus and Mahomedans arose. They should discuss those questions and arrived at some formulas which should be adopted at a resolution. And the Congress leaders both Hindu and Moslem should undertake tours in the country to familiarise the masses with those formulas. The three items on which disputes arose were ;

(1) Disputes relating to conversion and re-conversion between the two communities. (2) Slaughter of cows. (3) Music before mosque.

These questions were not new. The Delhi Unity Conference resolution about this matter might form the drafts for the resolution of this Conference. Lastly the speaker pointed out that it had been said that the matter should be left to communal organisations and Congress should have nothing to do with it. He strongly controverted such view. If there was anybody competent to tackle the question, it was the Indian National Congress. They

had waited too long and should not shirk responsibility anymore. It was unreasonable to expect that any communal organisation could be able to settle the trouble.

Acharyya P. C. ROY said that he came to the Conference with some misapprehension and was agreeably surprised to see such a representative attendance on the part of Mahomedans. He appealed to all to hold out the olive-branch and look to other countries in the world. While Japan, China, Afghanistan, Persia and Turkey were enjoying independence, 300 million Indians owing to differences among themselves were slaves in their own country. It should not be thought, said the speaker, that Moslem intolerance and fanaticism were responsible for the present situation. There was fanaticism on both the sides.

The President then took up the first question and explained the position.

Mr. A. Rangaswami Iyengar then read the resolution as re-drafted in consequence of an informal conference earlier in the day among a few leaders. The resolution, which was accepted after a long discussion, is as follows:—

#### Resolution on Conversion and Re-conversion.

"That every individual or group is at liberty to convert or re-convert another by argument or persuasion but must not attempt to do so or prevent its being done by force, fraud or other unfair means; such as the offering of material inducement. Persons under 18 years of age should not be converted unless it be along with their parents or guardians. If any person under 18 years of age are found stranded without his parents or guardians by persons of another faith, he should be promptly handed over to persons of his own faith. There must be no secrecy as to the person, place and manner about any conversion or reconversion:

"Nor there should be any demonstration or jubilation in support of any conversion or re-conversion:

"Whenever any complaint is made in respect of any conversion or re-conversion that it was effected by force or unfair means or whenever any person under 18 years of age is converted the matter shall be enquired into and discussed by arbitrators who shall be appointed by the Working Committee either by name or under general regulations".

Then the President suggested that the question of cow-killing and music before mosques should be taken together. They could decide the questions on the basis, (i) of freedom (ii) of restriction and (iii) of custom. He then called upon Dr. Ansari to explain the situation as it stood at the present moment.

Dr. M. A. ANSARI placed before the Conference both the Hindu and Muslim view-points with regard to cow-question and that relating to music before mosques. He dealt with the several points at dispute both at the Simla Conference and subsequently.

The restrictions put on Hindu processions accompanied with music make the Hindus feel that they must exercise their right and they go on exercising their right not only in the proper manner but sometimes they do it in such a way as to excite passions of the other community. Similarly as regards sacrifice of cows its restrictions by regulations made by Municipalities and local bodies are resented by the Mussalmans.

During the days of Non-co-operation there was absolutely no restriction on sacrifice of cows by our Hindu brethren. The whole thing was left to the Muslims. At that time in Delhi we succeeded in our endeavours to reduce cow-sacrifice from 700 to 3 or 4. This was not done in one year but in 3 or 4 subsequent years. But directly the feelings between the Hindus and Mus-

Mussalmans were strained and regulations were made in Municipalities and local bodies to restrict the sacrifice of cows when the Mussalmans at once started it with more vigour and the number in Delhi during the last 2 or 3 years has gone to four or five hundred. We who have been trying our best to restrict the slaughter of cows do not meet with any success simply because the Mussalmans say: "If the Hindus are trying to restrict it by means of Municipal legislation and executive order we are not going to restrict the slaughter and sacrifice of cows."

The position of both the communities as it was when the Simla Unity Conference finished its labour is this:—

Mussalmans say that slaughter of cows and sacrifice of cows should take place in slaughter houses in towns, and in villages slaughter should take place in slaughter houses and the sacrifice should take place in those localities or houses which may be fixed or which are not open to the public. But in places where there are no slaughter houses they should be provided for the purpose.

Hindus want that slaughter or sacrifice of cows should take place only in slaughter houses and these slaughter houses should be outside the inhabited areas and further there should be no sacrifice in any place where sacrifice did never take place before. Further there should be no sacrifice or slaughter of cows in sacred places of the Hindus and Sikhs. In new places, towns and other areas slaughter or sacrifice should be decided by the Hindu, Sikh and Muslim inhabitants of those places, towns and areas.

As regards sale of beef pork and other kinds of meat so far as the Muslims are concerned they do not want restrictions but the Hindus want them.

#### Cow Sacrifice.

One point which I want to mention in this connection is this: that in many parts of India, in Bengal, sacrifice of cows takes place in private houses. In a large part of India sacrifice of cows takes place in private houses during the Id days i.e., for 3 days only. It was suggested by the Muslims that the slaughter or sacrifice of cows, if it takes place in private houses which are not exposed to the public gaze, will prevent friction between the two two communities. In that case cows will not have to be taken to the slaughter house and brought back again to the house of the owner. Hindus objected to it. They said that their feeling is more hurt by the knowledge that cows are being sacrificed in localities somewhere near their dwellings.

Slaughter and sacrifice of cows should take place in slaughter houses which should be provided for the purpose throughout India. And where none exists no objection should be taken. Dr. Kitchlew accepted this formula with one proviso—that there should be no restriction as regards new places. There was one restriction put by the Hindus with regard to new places.

His proposition was that there should be slaughter and sacrifice in towns and in villages where there are slaughter houses. But where there is no slaughter houses they should be done or performed in houses or enclosures which are not open to the Hindu passers-by. And there should be no restriction as regards opening of slaughter houses in new places either temporarily or permanently. As regards the sale of various kinds of meat there should be no restriction.

Hindus wanted restriction. They demanded that no new slaughter house should be opened in places where there are none. Slaughter and

sacrifice should on no account be allowed there. Similarly in places of sanctity of Hindus and Sikhs there should be no slaughter and sacrifice.

Now the position comes to this. On the one hand there was no insistence on restriction and on the other there was the insistence in the recognition of rights and restrictions as regards slaughter and sacrifice of cows. Hindus want to assert their rights regarding music before mosque and the Mussalmans want to exercise their right relating to slaughter or sacrifice of cows. They are willing to do it in such a way as not to hurt the feelings of the other community, and for that purpose they have in their resolutions placed various restrictions and in the alternative resolution they have gone so far as to give up their right of sacrificing cows in private houses and in those places where they have not got that right.

#### Music Question.

As regards music the Hindu position in this: They want to have perfect freedom to carry processions along public thoroughfares accompanied with music. But they are willing to stop only non-religious musical processions in front of certain historic mosques.

Muslims on the other hand demand that at the time of their congregational prayer hours—four times a day—musical procession (religious and non-religious) should be stopped at some distance of the mosque and as soon as the prayer is over they can pass the mosque with music.

I have placed before you the situation as it stands to-day and it is for you to find out a formula acceptable to all.

#### SECOND DAY—28TH OCTOBER 1927.

The Conference re-assembled next day (the 28th) at 8-30 a.m. Mr. A. K. Azad attended the Conference. At the outset Dr. Ansari moved:—

"This Conference expresses its unqualified condemnation of the murderous assaults that have recently taken place and appeals to the Moslem and Hindu leaders to do their utmost to create an atmosphere of non-violence in the country."

In moving it Dr. Ansari said that an atmosphere of non-violence should prevail in the country before they could do anything further.

The resolution was carried unanimously. The President after reading the resolutions of which notices he got, put forth before the Conference the draft of the resolution which he had arrived at in consultation with some other leaders. The resolution was to the following effect:—

#### Resolution on Cow & Music Question.

Whereas no community in India should impose or seek to impose its religious obligations or religious views upon any other community, but the free procession and practice of religion should, subject to public order and morality, be guaranteed to every community and person.

Hindus are at liberty to take processions and play music before mosques at any time for religious or social purposes; but there should be no procession nor special demonstration in front of mosques nor shall the songs or music played in front of such mosques be such as are calculated to cause annoyance, special disturbance or offence to the worshippers in the mosques.

Moslems shall be at liberty to sacrifice or slaughter cows in exercise of their rights in any town or village in any place not being a thoroughfare nor one in the vicinity of a temple or a mandir nor one exposed to the gaze of the Hindus.

Cows should not be led in procession nor in demonstration for sacrifice or slaughter. Having regard to the deep-rooted sentiment of the Hindu community in the matter of cow-killing, the Moslem community is earnestly appealed to so conduct the cow sacrifice as not to cause annoyance to the Hindus in the town or village concerned.

This Conference expresses its unqualified condemnation of the murderous assaults that have recently taken place and appeals to Moslem and Hindu leaders to do their utmost to create an atmosphere of non-violence in the country.

#### An Amendment.

Mr. Raj Kumar Chakrabarty moved an amendment which had the support of Maulvi Mujibar Rahaman, Maulvi Akram Khan, Babu Nripendra Chandra Banerjee and Babu Upendra Chandra Banerjee. It was to the following effect.

Subject to any local variations that the Congress might devise for any province, resolved that the Hindus should have the freedom to lead processions with music along all public thoroughfares at any time and the Mussalmans also have freedom to slaughter cows in their mosques and private houses.

Maulvi Akram Khan in supporting the amendment asked for freedom for both communities. Babu Purusottam Rai said the resolution should be made frankly, without any hidden meaning and in such a way as not to admit of different and conflicting interpretations.

The PRESIDENT in explaining the draft of the resolution which he put before the meeting dwelt at length on the situation. He said that too many restrictions or making room for too many local variations would only lead to endless discussions. They should attack the question as practical men. Too much idealism should also be guarded against. He knew that conditions varied in different places. In the present state of things instance on custom or existing rights was also futile. To do so would be to abdicate their functions. They all knew that in times of troubles contending parties gave different and conflicting versions of custom or existing rights. They had got to settle their own affairs. The Government would not do anything. Either they were unwilling or incompetent to do anything in the matter.

Having regard to the feelings of the Hindus certain restrictions as to cow-killing had to be made. Personally it did not hurt him. But it did hurt the majority of the Hindus. And their solution of the problem must be acceptable to the great bulk of the Hindu community. Otherwise it would be futile. The speaker warned the meeting against too many restrictions. The fewer the restrictions, the more the chances of success.

As for the music before mosque question, Mahomedan friends had agreed that there should not be any stoppage of music in front of mosques, only it should not be of such a character as to cause annoyance and irritation. Their duty was now clear. If they were to act on this experiment by propaganda and organisation they would have to educate the masses about the solution they had arrived at. The adoption of this resolution was likely to lead to some difficulties in some places but having regard to the relief it would give in the majority of places it should be accepted. For instance this was likely to cause troubles in Madras, where there was the custom of stopping music before mosque but he was astonished to find that Moslem leaders of that place come to him and assure him that they were agreeable to any solution he might devise.

Continuing the speaker said that difficulties could not be solved by passing resolution but they must arrive at some formula which would be acceptable to both Hindu and Moslem workers.

If they succeeded in reaching a solution it would be a great impetus to the Swaraj movement and would lead to cordiality of communal relation and would deprive their English friends of their excuses for remaining in the country. The present time was very opportune, said the speaker. Mahomedans were now different in their spirit. They were anxious for settlement. The idea that Mahomedans were not anxious for settlement was a mistaken idea. The difference between Congress and non-Congress Mahomedans about this matter was fast disappearing.

Proceeding further the speaker said that they must go through a middle course and not insist on existing customs and rights. They had to rescue the people from the pool of distrust, ill-will and animosities in which they had fallen, by sacrifice and conversion.

These quarrels, the speaker went on, profitted no body. As a result of this more cows had been sacrificed and existing rights had been curtailed by Magisterial orders. If the Hindus and Mahomedans wanted unity there must be some adjustment. There was no question of surrender. It was a question of balancing.

#### Other Amendments.

Mr. T. PRAKASAM said that the proposals they should arrive at should be acceptable not only to the Mahomedans but also to the Hindus. He was anxious that what they should arrive at should be reasonable, just and acceptable not to unreasonable people but to reasonable people and which might ultimately form the basis of legislation to be passed by the Assembly.

Speaking for his province the adoption of the resolution of Mr. Iyengar would lead to serious trouble and complication. He moved the following amendments:—

(1) That Mussalms shall be at liberty to slaughter cows subject to the Local and Municipal Laws and decrees or any special agreements and also subject to any usages or customs that had been prevailing in different provinces prior to 1922.

In towns and villages that might hereafter come into existence, the matter shall be settled by a joint board of Hindus and Mussalms.

(2) (a) That Hindus shall be at liberty to play music in all public thoroughfares subject to any local usages or customs that may have been obtaining prior to 1922 and also subject to any decrees or agreements between the two communities in regard to playing of music in front of specified mosques.

(b) Neither the Hindus nor Mussalms shall claim any right or usage to insist on preventing any music in the houses or places of worship of the other community at any time. Neither of them shall be at liberty to set up any such usage or custom.

The cow question was not a live one on this part of the country but the music question had led to such troubles as there had not been in any other place. He cited for instance a case where a party got by decree a right to play music. But even after the decree that right was objected to and the Magistrate had to intervene, and he prohibited by order to play music even in their own private houses. At Nellore a decree of the District Judge was executed according to his order with the aid of the military and police. But afterwards Nellore was under Section 144 and the Magistrate prohibited music. That happened in March 1927. The Vakil who laboured in this cause, was attacked with knife and narrowly escaped getting killed. His assistant was beaten, his car burnt. All that happened with regard to a decree that had been executed with the aid of the military and police only a few months ago. Law, order and decrees were unavailing for these people. How to give relief to such cases, asked the speaker.



Mr. M. Shafi Daudi.—That was all the more reason formulating such a resolution.

Mr. T. Prakasam.—You must make provision to meet such cases and remove the causes that have led to such a situation. The reason for all this is due to the fact that we all abdicated our position.

Mr. Saukat Ali.—Yes, we did it and we have come back again to fight for Swaraj.

Mr. S. IYENGAR, following, said it would be distinctly understood that they were discussing the proposals on the basis of Mahomedan co-operation. If the Mahomedans and Hindus act up to this the whole thing would be a success. Otherwise it would fail as similar attempts on their part had failed. They all knew the resolutions would be attacked on both sides. Mere passing of pious resolutions would not do. The price which the Hindus had to pay for that harmony was no ignominious surrender of their rights. Nor had the Mahomedan friends come back to Congress to drive an unfair bargain. It was their hunger for Swaraj which brought them back. The President then appealed to all to bury the dead past, the memory of which was bitter.

Kumar Gangananda Singh moved an amendment in terms of the Hindu proposals at the Simla Unity Conference.

Dr. Ansari Support.

Dr. ANSARI supporting the resolution said that it was clear that there was a consensus of opinion on the basis of freedom. It was after due consideration to the views prevalent among those who were present there that they had come to that resolution. The basis of the resolution was freedom for music before mosque and freedom for cow sacrifice, with only such reservations that should not be difficult for Hindu and Moslem leaders, who were really anxious for unity to accept. Criticising the resolution of Kumar Gangananda Singh, the speaker said that the principles of the two resolutions were entirely different. One was liberty of right with voluntary restrictions and the other was restriction of rights.

Mr. Shafi Daudi and Mr. P. K. Chakrabarty and Babu Gopabandhu Das further supported the resolution of Mr. Iyenger.

Mr. Raj Kumar Chakrabarty withdrew his motion. The motion of Mr. T. Prakasam and Kumar Gangananda Singh were lost.

Mr. Srinivasa Iyenger's resolution was carried with only Mr. Prakasam and Kumar G. Singh dissenting.

Mr. Lalit Mohan Das then moved the following resolution which was carried.

"That this Conference requests the All-India Congress Committee to appoint a Committee of not less than five persons with power to co-opt for each province for making tour in the country for propaganda work in connection with the question of Hindu-Moslem unity.

That the Committee will try to impress upon the people the vital urgency of the problem and to urge them to act according to the resolutions of the Unity Conference.

Rev. Andrews said that communal squabble in India was spreading to Indians overseas.

After Mr. P. K. Chakrabarty and Mr. Shyamsundar Chakrabarty had thanked the President the Conference came to a close.

# The Statutory Commission on Reforms.

His Excellency the Viceroy in a statement announced the appointment of the Statutory Commission on Reforms on the 8th November, 1927. The Commission would be presided over by the celebrated constitutional lawyer Sir John Simon and assisted by 6 other members of the Parliament. His Excellency explained in detail the object of the Commission and stated that with a view to elicit the Indian opinion on the subject the British Parliament intended to invite the central legislature to appoint a Joint Select Committee "which would draw up its views and proposals and lay them before the Commission." It was further intended to adopt a similar procedure in the case of the provincial legislatures.

His Excellency pointed out that after the publication of the report and its examination on the part of the British and Indian Governments, the Commission would present the proposals to Parliament which would afterwards refer them to a Joint Parliamentary Committee.

On the 15th of November, the House of Lords passed the 2nd reading of the Statutory Commission Bill and on the 24th of November Lord Birkenhead in moving the resolution on the Commission expressed his opinion to the effect that he regarded the Commission as an exceptionally intelligent jury going to India with no preconceived prejudices. His Lordship wanted to emphasize the fact that the Committee of the Indian legislature had been invited in a spirit of great sincerity to co-operate as colleagues with the Commission and explained that the difficulty of finding out truly representative Indians stood in the way of including them on the Commission.

On the 24th November, the resolution was moved in the Commons by Earl Winterton, who incidentally informed Col. Wedgwood that the cost of the Commission would be borne by the Indian revenues but His Majesty's Government would contribute £20,000 towards it.

It should be noted that while so much was going on in the Government circles both in England and in India to make the Commission a success an important section of the Labour Party began to express views on the Commission which were not exactly complimentary. Some of the Labour members pointed out that some extension and amendment were necessary to remove the doubts and defects appertaining to the Commission. Miss Wilkinson, Labour M. P., considered the Commission as an outrage on the main principles for which the War was said to have been fought. Mr. Manton, Labour M. P., declared that the Labour Party should not be partners to this humiliation to India. He was decidedly of opinion that in any honourable settlement of the Indian constitution, the chosen representatives of India should have equal status with the representatives of Great Britain. Mr. Ramsey MacDonald and Mr. George Lausbury informed Lord Birkenhead that unless the Government modified in a manner acceptable to Indian opinion, they would be compelled to request the Labour Members of the Commission to withdraw. Moreover, they were strongly of opinion that the Committee of the Central legislature should have the same status and authority as the Commission.

Pandit Motilal N. hru, who was then staying in England, wrote to Mr.

Lansbury under instructions from the President and Secretary of the Indian National Congress asking him to consider the advisability of withdrawing labour members from the Commission and desisting from all efforts at a compromise. He stated that India expected the firm support of the Labour Party and no proposal short of some suitable form of full responsible Government would satisfy the Congress. He was convinced that the action of the Government was merely strengthening the hands of those who were working for complete independence and the Government was unwittingly playing into their hands.

On the 19th November, a meeting of the Independent Labour Party was held strongly protesting against the exclusion of the Indians from the Commission and passed a resolution to the effect that the Labour Party should ask the Labour Members of the Commission to withdraw unless Indian representatives were placed on a footing of full equality with the British representatives.

It might be recalled that at the Labour Party Conference at Blackpool which took place early in October a resolution was passed declaring for the early appointment of the Commission, but at the same time stipulating that any Commission appointed must be one which would command the confidence of the Indian people. The Commission failed to meet the latter condition, since by no stretch of language could it be said to command the confidence of the Indian people. As a consequence there was a strong feeling amongst the rank and file of the Parliamentary Labour Party that, failing an agreement on the part of the Government to appoint Indian representatives on the Commission, the two Labour nominees should be withdrawn.

Subsequently negotiations were conducted by a special sub-committee of the Party with Lord Birkenhead regarding an alternative proposal which Labour suggested that the Government should adopt. It was that the Joint Committee of the Indian Legislature should be given an equality of status, with the British Commission, and that this Indian Committee should collect evidence, draft proposals, and present these direct to the Imperial Parliament in the same way that the British Commission will present its report. What further transpired in the negotiations was not made public but the result of the negotiations was reported to the Parliamentary Labour Party which decided in their meeting held on the 24th November not to withdraw their members from the Commission. Not only this, during the Second Reading of the Statutory Commission Bill in the House of Lords, Lord Olivier gave his full support to it.

In India the announcement of the Simon Commission raised a veritable political storm. His Excellency the Viceroy's eloquent appeal "if differ they must, they should differ as friends and not stand aside" fell in deaf ears. Moderates, Non-co-operators, Home Rulers all joined hands in denouncing the Commission. The erstwhile supporters of the Montagu Reforms and the Government of India Act, 1919 changed their ground and were sufficiently loud in expressing their disapprobation.

The exclusion of the Indians from the Commission was regarded as a direct insult to the intelligence of India and once more with grief and shame she realised that "sufferance was the badge of her tribe."

There was hardly any party in India which could be found to be so poor as to do honour to the Commission. With the exception of the

European Association, the Anglo-Indian Press and a small section of the Mahomedans headed by Sir M. Shafi in the Punjab, the whole of India stood as one man against the personnel and the proposed methods of the Commission.

Meetings were held all throughout India; in all the provinces and in all the big towns recording their emphatic protest against the Commission. And in fact all shades of opinion merged in a common unanimity in condemning the Commission. Moderates and Extremists, Swarajists and Non-changers, Congressmen and Loyalists all stood on the same platform. There was hardly any room for difference of opinion. People of all shades of opinion were unambiguous in their intentions. The deliberate exclusion of Indians from the Commission was an arrogant insult to an entire nation and, as such, war must be launched against it as a matter of principle. Interviews, letters and reports of protest meetings advocating complete boycott of the Commission were pouring in ceaselessly. Prominent leaders like Sir T. B. Sapru, Sir C. Setalvad, Dr. Besant, Sir A. Rahim on the one hand and the Congress President and the Swarajists on the other openly advised their countrymen to abstain from helping the Commission in any way. Boycott was freely regarded as the only effective weapon against an unwarrantable insult hurled at the heads of a people who piously hoped for far better things till at last hope deferred made their hearts sick. From the Punjab to Burma men of different calling belonging to various political parties holding divergent views and interests, all united to lodge a common protest against the Commission. The "bona-fides" of the Conservative Party in instituting the Commission was strongly suspected and the leaders of the different parties took no pains to conceal that the Conservatives in Parliament were adopting rushing tactics in Indian affairs lest they might lose their chance in the next General Election. The British Parliament stood condemned before the eyes of patient and suffering India and her deputation for justice was considerably lowered in the estimation of the Indians at large. The Commission was merely regarded as one more glaring instance of the insincerity of Great Britain in her policy towards India.

## The Viceroy's Announcement.

H. E. the Viceroy made the following announcement in New Delhi on the 8th November:—

Eight years ago the British Parliament enacted a Statute which regulated the conditions under which India might learn, by actual experience, whether or not the western system of representative government was the most appropriate means through which she might attain responsible self-government within the Empire. That Statute never professed to incorporate irrevocable decisions and recognised that the work must of necessity be reviewed in the light of fuller knowledge with the lapse of years. Parliament accordingly enacted that at the end of ten years at the latest, a Statutory Commission should be appointed to examine and report upon the progress made.

### The Delay in Appointing Commission.

Considerable pressure has, during recent years been exercised to secure anticipation of the Statute, but His Majesty's Government has hitherto felt that circumstances in India were not such as to justify, in the interests of India itself, the advancement of the date at which the future development of the Con-

stitution would be considered. So long as the unwise counsels of political non-co-operation prevailed, it was evident that the conditions requisite for the calm appraisal of a complicated constitutional problem were lacking and that an earlier enquiry would have been likely only to crystallise in opposition two points of view between which it must be the aim and the duty of statesmanship to effect reconciliation. But there have been signs latterly that while those who have been foremost in advancing the claims of India to full self-government have in no way abandoned the principles they have felt it their duty to assert, yet there is in many quarters a greater disposition to deal with the actual facts of the situation and to appreciate what I believe to be most indubitably, true, namely, that the differences which exist on these matters are differences of method or peace and not differences of principle or disagreements as to the goal which we all alike desire to reach.

It is also certain that a review, if it is to be thorough and deal adequately with the issues that will claim attention, it will have much ground to cover and both for this stage and for those that will necessarily follow, it is important to ensure a sufficient allowance of time without unduly postponing the date by which final action could be undertaken.

### Communal Tension.

Their is another element in the present position which is immediately relevant to the question of whom the work of the Commission should begin. We are all aware of the great, unhappily great, part played in the life of India recently by communal tension and antagonism and of the obstacle thus imposed to Indian political development. It might be argued that, in such circumstances, it was desirable to delay the institution of the Commission as long as possible in the hope that this trouble might, in the meantime, abate. On the other hand, it seems not impossible that the uncertainty of what constitutional changes might be imminent may have served to sharpen this antagonism and that each side may have been consciously or unconsciously actuated by the desire to strengthen as they supposed, their relative position in anticipation of the Statutory Commission. Whenever such activities may first begin, the result is to create a vicious circle in which all communities are likely to feel themselves constrained to extend their measures of self-defence.

The fact that these fierce antagonisms are irreconcilable with the whole idea of Indian Nationalism has not been powerful enough to exercise its influence over great numbers of people in all classes and I suspect that the communal issue is so closely interwoven in the political that suspense and uncertainty in regard to the political react rapidly and unfavourably upon the communal situation. Fear is frequently the parent of bad temper and when men are afraid, as they are to-day, of the effect unknown political changes may have, they are abnormally ready to seek relief from, and an outlet for, their fears in violent and hasty action. In so far as these troubles are the product of suspense, one may hope for some relief through action taken to limit the period of uncertainty.

### The Commission and its Task.

Having regard to such considerations as these, His Majesty's Government has decided to invite Parliament to advance the date of the enquiry and to assent forthwith to the establishment of the Commission. Subject to the obtaining of this necessary authority, His Majesty's Government hopes that the Commission will proceed to India as early as possible in the new year for a short visit, returning to India in October for the performance of their main task.

The task of the Commission will be no easy one. In the governing words of the Statute which will constitute its terms of reference, it will be charged with "inquiring into the working of the system of government, the growth of education and the development of representative institutions in British India and matters connected therewith and to what extent it is desirable to establish the principle of responsible government or to extend, modify or restrict the degree of Responsible Government then existing, therein including the question whether the establishment of second chambers of the local legislatures is or is not desirable".

His Majesty's Government have naturally given careful thought to the most

appropriate agency for the conduct of an enquiry so comprehensive and unrestricted. The question of what should be the composition of the Commission is one to which the answer must inevitably be greatly influenced by the nature of the task which Parliament has to perform in the light of its advice in order that the decision at which His Majesty's Government have arrived may be fully understood. It is necessary to state in a few words what they conceive that task to be. If it were simply the drawing up of a constitution which Parliament—which must, in any circumstances be the final arbiter—would impose on India from without, the problem would be comparatively simple, but that is not the case. His Majesty's Government conceive that the preamble to the Act of 1919 recognised in effect that with the development of Indian political thought, during the last generation, legitimate aspirations towards responsible government had been formed of which account must be taken. His Majesty's present Government desire no less to take account of these aspirations and their hope is to lay before Parliament, after the investigation into the facts prescribed by the Act, the conclusions which shall, so far as is practicable, have been reached by agreement with all the parties concerned. It is with this object steadily in view that His Majesty's Government have considered both the composition of the Commission and the procedure to be followed in dealing with its report.

#### Composition of the Commission.

It would be generally agreed that what is required is a Commission which would be unbiassed and competent to present an accurate picture of facts to Parliament, but it must be found willing to take whatever action a study of these facts may indicate to be appropriate.

To fulfil the first requirement, it would follow that the Commission should be such as may approach its task with sympathy and a real desire to assist India to the utmost of its power, but with minds free from preconceived conclusions on either side. It is however open to doubt whether a Commission constituted so as to include a substantial proportion of Indian members, and, as rightly would, British official members also, would satisfy the first condition of reaching conclusions unaffected by any process of "a priori" reasoning. On the one hand, it might be felt that the desire, natural and legitimate, of the Indian members to see India a self-governing nation could hardly fail to colour their judgment of her present capacity to sustain the role. On the other hand, there are those who might hold that British official members would be less than human if their judgment were not in some degree affected by long and close contact with the questions to which they would now be invited to apply impartial minds.

But even after such a Commission had written its report, Parliament would inevitably approach the consideration of it with some element of mental reservation due to an instinctive feeling that the advice in more than one case represented views to which the holder was previously committed. It would move uncertainly among conclusions the exact value of which, owing to unfamiliarity with the minds of their framers, it would feel unable to appraise.

We should, however, be making a great mistake if we supposed that these matters were purely constitutional or could be treated merely as the subject of judicial investigation. Indian opinion has a clear title to ask that in the elaboration of a new instrument of Government, their solution of the problem or their judgment on other solutions which may be proposed should be made an integral factor in the examination of the question and be given due weight. In the ultimate decision, it is therefore essential to find means by which Indians may be made parties of the deliberations so nearly affecting the future of their country.

Balancing these various considerations and endeavouring to give due weight to each, His Majesty's Government have decided upon the following procedure. They propose to recommend to His Majesty that the Statutory Commission should be composed as follows.—

Chairman.

The Right Hon'ble Sir John Simon.

## Members.

The Viscount Burnham. Lord Strathcona. The Hon'ble E. C. Cadogan. The Right Hon'ble Stephen Walsh. Colonel the Right Hon'ble George Lane-Fox. Major C. R. Attlee.

## Legislatures to be Consulted.

His Majesty's Government cannot of course dictate to the Commission what procedure it shall follow, but they are of opinion that its task in taking evidence would be greatly facilitated if it were to invite the Central Legislature to appoint a Joint Select Committee chosen from its elected and nominated unofficial members which would draw up its view and proposals in writing and lay them before the Commission for examination in such manner as the latter may decide. This Committee might remain in being for any consultation which the Commission might desire at subsequent stages of the enquiry. It should be clearly understood that the purpose of the suggestion is not to limit the discretion of the Commission in hearing other witnesses. His Majesty's Government suggest that a similar procedure should be adopted with the provincial legislatures.

The vast area to be covered may make it desirable that the task of taking evidence on the more purely administrative questions involved should be undertaken by some other authority which would be in the closest touch with the Commission. His Majesty's Government suggest that the Commission on arrival in India should consider and decide by what machinery this work may most appropriately be discharged. This will not, of course debar the Commission from the advantage of taking evidence itself upon these subjects to whatever extent it may think desirable.

When the Commission has reported and its report has been examined by the Government of India and His Majesty's Government, it will be the duty of the latter to present proposals to Parliament, but it is not the intention of His Majesty's Government to ask the Parliament to adopt these proposals without first giving a full opportunity for India's opinion of different schools to contribute its view upon them. And, to this end, it is intended to invite Parliament to refer these proposals for consideration by a Joint Committee of both the Houses, and to facilitate the presentation to that Committee both the view of the Indian Central Legislature by a delegation who will be invited to attend and confer with the Joint Committee and also of the views of any other bodies whom the Joint Parliamentary Committee may desire to consult.

In the opinion of His Majesty's Government, the procedure contemplated fulfils to a very great extent the requisites outlined above.

## Advantages of the Commission.

Such a Commission drawn from the men of every British political party and presided over by one whose public position is due to outstanding ability and character will evidently bring fresh, trained and unaffected judgment to bear upon an immensely complex constitutional issue. Moreover, the findings of some of its own members can count in advance upon a favourable reception at the hands of Parliament which will recognise them to speak from a common platform of thought and to apply standards of judgment which Parliament will feel instinctively to be its own.

For myself, I cannot doubt that the quickest and surest path of those who desire Indian progress is by the persuasion of Parliament and that they can do this more certainly through members of both Houses of Parliament than in any other way. The Indian Nationalist has gained much if he can convince members of Parliament on the spot; and I would therefore go further and say that if those who speak for India have confidence in the case they advance on her behalf, they ought to welcome such an opportunity being afforded to as many members of the British Legislature as many be there, to come into contact with the realities of Indian life and politics. Furthermore while it is, for these reasons, of undoubted advantage to all who desire an extension of the reforms that their case should be heard in the first instances by those who can command the unquestioned confidence of Parliament, I am sanguine enough to suppose that the

me had chosen by His Majesty's Government will also assure to Indians a better opportunity than they could have enjoyed in any other way of influencing the passage of these great events. For, not only will they, through representatives of the Indian Legislatures, be able to express themselves freely to the Commission itself, but it will also be within their power to challenge in detail or principle any of the proposals made by His Majesty's Government before the Joint Select Committee of Parliament and to advocate their own solution. It should be observed moreover, that, at this stage, Parliament will not have been asked to express any opinion on particular proposals and therefore, so far as Parliament is concerned, the whole field will still be open.

"Differ as Friends, but do not Stand Aside."

I hope that there will be none, whatever may be their political opinion, who will fail to take advantage of this potent means thus presented to them of establishing direct contact between the Indian and British peoples. There will be some whose inclination, it may be, will prompt them to condemn the scheme of procedure on which His Majesty's Government has decided. Others may criticise this or that part of the proposals. The reply to these latter is that thy plan outlined stands as a single, comprehensive whole and should be so regarded. Of the first, I would ask in all sincerity whether disagreement on the particular machinery to effect the end which we all alike pursue is sufficient ground for any man to stand aside and decline to lend his weight to the joint effort of the people that this undertaking represents. I can never conceal from myself that there are and will be differences of opinion between the two peoples just as there are differences of opinion within Great Britain and India on these matters. It is through disagreement and the clash of judgment that it is given to us to ultimately approach the knowledge of the Truth. It is also inevitable that on issues so momentous, differences of judgment will be founded on deep and sincere conviction, but, if difficult, our general line of conduct is surely plain. Where possible, it is our duty to bring these differences to agreement. When this is at any given moment not practicable without surrender of something fundamental to our position, it is our duty to differ as friends, each respecting the standpoint of the other and each being careful to see that we say or do nothing. This will needlessly aggravate differences which we are unable immediately to resolve.

The effect that such differences will have upon the relations between the countries will depend upon something which lie deeper than the differences themselves. All friendships are subject at times to strains which try the tempers and lay men under the necessity of exercising considerable forbearance and restraint. Such strains are indeed a sovereign test; for, just as one is the stronger for rising superior to the temptation to which another yields, so true friendship flourishes on the successful emergence from the very test which dissolve any less firmly founded partnership. In real friendship, each party is constrained to see, the best in the other's case, to give credit for the best motives and place the most charitable interpretation upon actions which they might wish were otherwise. Above all, friends will strive to correct differences by appeal to the many things on which they are agreed, rather than lightly imperial friendship by insistence on points in regard to which they take conflicting views.

Thus, I would fain trust it would be in the present case. Do not think I am mistaken if I assert that it is the fixed determination of the overwhelming majority of the citizens, both of India and Great Britain, to hold firmly by the goodwill which, through many trials and it may be through some false steps on the part of each, has meant much to both. In each country, there may be from time to time misunderstanding of the other. Let us not magnify such things beyond their value. Least of all, let us not permit such transient influences to lead us to lose sight of the rich prize of achievement of a common purpose which we may assuredly win together, but can hardly win in separation. It is my most earnest hope that this joint endeavour to solve a problem, on the wise treatment of which so much depends, may be inspired by such a spirit as shall offer a good hope of reaching an issue to the great and abiding good of India and of all her sons.



## Debate in the House of Lords.

On the 24th November in the House of Lords, Lord Birkenhead moved the resolution concurring on the submission to His Majesty of the names of the members of the Statutory Commission. In the course of his speech the noble Lord said :—

My Lords, the very difficult task which I attempt to-day to discharge, is one of which, it cannot be expected that it will meet with a unanimous approval. The difficulties involved have been very great, and I may perhaps illustrate them to your Lordships, if I say that the correspondence which has taken place between myself and two successive Viceroy, with whom I have been associated upon this subject, would certainly fill several volumes. I claim, and I claim only, that with the advantage of advice in the earlier years of my noble friend, Lord Reading, and later years of Lord Irwin, that at any rate, this whole matter has been most carefully considered, that every alternative for the proposal which I put forward has been examined, and sincere attempts have been made to appraise the advantages and disadvantages of each course, which has been recommended and pressed upon me.

### The Resolution.

The motion which I have to move is : "That this House concurs in the submission to His Majesty, of the names of the following persons, namely, Sir John Simon, Viscount Burnham, Lord Strathcona and Mr. Walsh, Colonel Lane-Fox and Major Atlee, to act as a commission for the purpose of Section 84 "A" of the Government of India Act".

I shall say something in a moment, as to the reason which led the Government to the conclusion that the Commission necessarily to be appointed either this year or the next or in the early months of the year afterwards, should be a purely Parliamentary Commission.

But I may allow myself the grateful task at the outset of my speech, of saying something in justification of the names, which I recommend to the House.

### Sir John Simon.

Sir John Simon occupies a position at the Bar of England, which has not been so completely filled by any advocate of the Bar in my recollection. He brings to the difficult tasks which await him, a mind ingenious, acute, well-stored and assiduous, and it would indeed be wrong if we did not, in this House, recognise that he is making an immense sacrifice, as men count sacrifice, in undertaking the difficult duties which await him. I do not, of course, mean that Sir John Simon is merely making a financial sacrifice, but he is in a position in which, as one of the masters of his profession, he has no particular difficulties or anxieties in its discharge, for he is too consummately equipped in that profession to apprehend them. But he is undertaking duties of great novelty and of the utmost complexity in circumstances, in which it would only be possible for a very sanguine man to predicate that a solution would be obtainable, which would be acceptable, not only here, but in India. No man can establish a large claim upon the confidence of his fellow-countrymen than he. He undertakes a great task of great difficulty involving immense personal sacrifices, and I am certain of this, that the wish of your Lordships will be to give him every support in the difficult task which in the high spirit of public service, he has undertaken.

## Lord Burnham.

There is another member of the Commission, a member of Your Lordship's House, who has, for a long period of time, rendered public service. I mean my noble friend, Lord Burnham, whose special activity has happily been in the direction of making us better known in the outlying portions of the Empire. I have been aware of many of his travels. I know of no Dominion which he has visited where his pleasant and tactful personality has not done much to create good feeling between us and those whom he has visited. For him, too, the sacrifice is considerable, for I may tell your Lordships that, not only will it be necessary for those who are to be the Commissioners, to spend some four months in India in the next cold weather but it will certainly be the result of their earlier efforts in India, on which material will be accumulated, that will require sifting and examination on their return to this country, and they have then undertaken the very much greater labour, involved in their second visit, of spending some 6 or 7 months, travelling through the various provinces, acquainting themselves in great detail with the matters, which are relevant for their consideration and necessary for their decision.

Lord Burnham, again, has undertaken this task in a spirit of public duty. I am sure that Your Lordships will appreciate that a man who is no longer very young, has undertaken a burden of this kind in the public interest.

## Lord Strathcona.

Another member of Your Lordships' house, a younger man, Lord Strathcona recommended to us not only by a name which we honour, but also by an individuality of character and exhibition of industry, which have carried him from an inferior plane of our activities, to a not unimportant post in the party organisation has abandoned this and, in my judgment, rightly abandoned it, for the purpose of a large and more important public service. I am glad that a member of your Lordships' House with energy and youth and competence for this task has been prepared for and has undertaken its burdens. I come now for a moment to the members of the House of Commons.

## Col. Lane-Fox.

Of Colonel Lane-Fox, I think, I need not speak in terms of any particular recommendation. He is, indeed, known to many of your Lordships in his own personality, and to all by name. He has discharged more than one high public position, and to the discharge of every position, he has brought equal confidence, industry and conscientiousness.

## Hon. A. Cadogan.

The Hon'ble A. Cadogan is known, I suppose, to all your Lordships, who were members of the House of Commons. Those of your Lordships who had not the good fortune, ever to be the members of another place, I may remind that he was the tactful, courteous and able Secretary of the Speaker of the House of Commons, for many years. If any man can retain popularity with all sections of the House of Commons, who is the Secretary of Mr. Speaker for a period of many years, I would say of that man that he has many qualities which entitle him to sit upon this Commission.

**Mr. MacDonald's Attitude.**

I will say a word or two of the representatives of the Opposition. Mr. Walsh and Major Attlee. Here, I must make a slight digression. I thought it my duty to enter into some discussion, with the Leader of the Opposition, Mr. Ramsay MacDonald, at an early stage in development of this matter, and I would desire, in the most public manner, to place it upon record, that consistently with his own position, his own responsibilities and his own discussions, he has behaved as one would have expected a man to behave, who, at one time, held the high office of Prime Minister in this country, and who, for all we know, may still hold it again. It would be giving an entirely wrong impression if I were to claim that, Mr. MacDonald accepted any responsibility for the particular proposals which I bring before the House to day. He did not accept them. I did not ask him to accept them. I did not expect that he should accept them. These responsibilities are of his Majesty's Government alone. We accept them and we shall accept the consequences of them. It is perfectly open to any supporter of Mr. Ramsay MacDonald either in this House or another place, to say, "We think that you would have exercised wiser discretion if you had adopted a different form of the Commission. That is responsibility, it is not ours." Let it therefore, be made perfectly plain, when I say that I accepted the advice of Mr. Ramsay MacDonald, in the case of the two gentlemen, who are to be the Labour members of this Commission. Let it be made perfectly plain, that the position which Mr. Ramsay MacDonald and his friends are entitled to assume, is this. It is your scheme and not ours, but we would not take and do not take the responsibility of saying, when one you have adopted this scheme, that the leaders of the Labour Party in this country, propose to boycott it. My Lords, after considerable discussion between Mr. MacDonald and myself, the two names were put forward and were accepted.

**Mr. Walsh.**

The first was Mr. Stephen Walsh. My Lords, Mr. Walsh is an old Lancashire member of Parliament. I have known him well for twenty-one years. He entered Parliament at the same election as myself. I know well how great his reputation is with the mining community of Lancashire and I know too that, as the Secretary of State for War, he stamped an unaggressive but still a firm and real personality upon those with whom he associated at the War Office. I greatly welcome his inclusion upon this Commission.

**Major Attlee.**

My Lords, I am not able to say more of Major Attlee than this. He comes to me with a very strong recommendation not only from the leader of the Labour Party for efficiency, capacity and industry, but those of my own party in the House of Commons to whom I have spoken have been as forward in his praise as those who recommended him to me for inclusion as a member of this Commission. I am myself unhappily almost ten years remote now from the House of Commons and therefore I had not and have not the pleasure of Major Attlee's acquaintance.

My Lords, such are the men who have undertaken these burdens. I have no hesitation in recommending them warmly to your Lordships' acceptance and I think we are fortunate indeed in having discovered seven

gentlemen, many of them members of the Commons and, in addition to the risks which I have already indicated, exposed to electioneering difficulties which may arise who knows when, who nevertheless have been prepared to add these to other risks and inconveniences which they have undertaken.

#### A Parliamentary Commission.

My Lords, a grave question now requires discussion and it is here that I apprehend that a difference of opinion which is founded upon principle may develop between myself and the Opposition. Let me state it shortly. The question is, should this Commission be a Parliamentary Commission consisting of members of the Commons and the House of Lords or should it be a Commission in which Indian members would have found a place? My Lords, I have given for four years, ever since I undertook the responsibilities of this office, my deep and constant attention to this topic. I have satisfied myself, and I am not without hope that I may satisfy your Lordships and the public, that the decision which I recommend is not only right, but is the only decision which is reconcilable with the very purposes which all of us have in view. My Lords, the problem of India is one the main features of which historically are very familiar and which I do not propose to examine in great detail to-day. Nevertheless, I shall presume to say one or two things quite plainly. When we went to India in that commercial guise which has frequently in history been our earliest approach to future dominions, we found it a country, discordant and dissentient within itself, of warring sects with no prospect of a stable and unified dominion. I examine not at all, for it would be remote from and irrelevant to my purpose, the early history. I collect from that history only the conclusion which is logically required for my present argument, and, I state it plainly and boldly. It is that the intervention of this country in India and that intervention alone, saved it at the relevant period from a welter of anarchy. Now, my Lords, I approach the present. It has been my duty to talk in the last three years to many distinguished Indians of every faith, every persuasion, every bent of political thought. I have asked all of those who were inclined to be critical of our attitude in relation to the future constitutional development of India this question.

#### Question of Britain's Withdrawal.

Do you desire that the British Navy should be withdrawn from India? Do you desire that the Civil Service should be withdrawn from India? Do you desire that the protection of the British Navy should be withdrawn from the Indian shores? I have never found one Indian, however hostile to this Government, however critical of our proposals in relation to the Indian development, who desired that the Army should be withdrawn, that the Indian Civil Service should be withdrawn, or that the protection of the Navy should be withdrawn. Why do I state this position in a form so plain? It is to found upon it, as its logical conclusion, another. We undertook by an Act of Parliament—that act which substituted for the authority of the Company, the authority of the British Government—Parliamentary responsibility. Does anyone really suppose that the Parliament of this country, which by an Act of Parliament assumed to itself the responsibilities and functions of the Company, which, as the historical facts that I have shortly stated show, is still confronted by precisely the same problems in India as confronted our predecessors at the moment when in the first place, the

activities of our commercial and trading bodies supported by the force of arms, composed the warring sects of India, when it is still concerned, that our withdrawal to-morrow would reproduce precisely the conditions which existed when we went there? How can any one in those circumstances pretend that whatever point may be disputable the responsibility of Parliament not only does not still survive but is not an exclusive responsibility, from which Parliament can divorce itself, without being false to the long and glorious history of the association of England and India.

#### Why a Parliamentary Commission.

If this be the responsibility of Parliament, considerations of no small importance arise. I had to decide before making a recommendation to my colleagues, which they accepted as to the character of this Commission, whether or not it ought to be the Parliamentary Commission. This, as I understand, is the point in relation to which doubts are principally entertained by those who criticise our proposal. Let me, therefore, examine it with the indulgence of the House with some care. If I am right in saying that it was Parliament, which was responsible for that first momentous change, which deprived the Company of its political activities, if from that moment Parliament has been charged with responsibility, how can we divorce ourselves from that responsibility at this moment? Observe, it is only eight years since this same Parliament, by what is known as the Montagu-Chelmsford reform, by a great public Act, created the constitution which is now to be the subject of revision and re-examination.

It is sometimes said by our critics in India that it is for India to decide upon the form of the constitution suitable for themselves, and then for British Parliament formally to pass it. This suggestion has not been lightly made. It has been seriously made by men who are entitled that their observations shall be seriously accepted. I can only make this comment, I have twice in the three years during which I have been Secretary of State, invited our critics in India, not only to put forward their own suggestions for a constitution but to indicate to us the form, which, in their judgment the constitution should take. That offer is still open. It is most expressly repeated, as I shall show in a moment, in these proposals which we make for the association of Indians with the activities of the Commission.

#### Parliament's Duties and Responsibilities.

But let it be plainly said, and it cannot be too plainly said, that Parliament cannot and will not repudiate its own duties, its own responsibility in this matter. If anybody seriously supposes, either here or in India, that we are mechanically to accept a constitution without our own primary and ultimate responsibility for judging upon it, they have no contact with the realities of the actual situation. We therefore form the clear view that this Commission must be a Parliamentary Commission. It was suggested, and is being suggested still, that we ought to have associated Indians with the Commissioners, in order not to inflict a supposed affront upon Indian susceptibilities. That consideration deserves the most careful attention and, indeed, I may make it quite plain that I have given it for a period of three years my almost unbroken attention. I have considered it from every angle. There is no argument which can be put forward in its support, which I have not already to the best measure of my capacity examined. The question, whether I am right or wrong, cannot

be answered without deciding what is the true function of this Commission. The function of the Commission is a simple one. It is to report to Parliament. When once the Commissioners have reported, they are *functi officio*. The task then belongs to others. What is it that Parliament was entitled to require from these reporters? What could these reporters contribute that would be most helpful to Parliament? I find myself in no doubt as to the answer to both these questions. Parliament could most be helped by the opinions of men of admitted integrity and independence, without any commitments of any kind at all, in the past events of history, who went there with one object and one object only, and that was, to acquaint themselves with the actualities of the problem, and to equip themselves to be the wise advisers of Parliament.

**"Exceptionally Intelligent Jury.**

We in Britain are accustomed to pride ourselves upon the jury system. It is frequently said that the collective intelligence of 12 jurymen is incomparably greater than the individual intelligence of any one among their number. I hope it will not be considered that I am making any observation slighting the distinguished men who are members of the Commission if I say that I conceive of them as an exceptionally intelligent jury going to India without any preconceived ideas at all and with no task except to come to Britain and give the honest result of the examination they make of Indian politics. I have only two things to add on the issue whether we are right or wrong in deciding upon a purely Parliamentary Commission. I have no doubt whatever, speaking as a constitutional lawyer, that the framers of the original and determining Act when they spoke of a Commission contemplated a Parliamentary Commission. It is true that they did not so state in terms but I draw the inference that they did not so state it, because they thought it so obvious. I observe Lord Chelmsford in the House. I am not entitled, unless he thinks it proper to contribute to it, to ask his opinion but I should be greatly astonished if he is not prepared to state at the time when the Commission was contemplated in the governing Act. There was no other idea but that it should be entirely parliamentary. My Lords, what would have been the alternative? It is said lightly by those who have not considered very deeply the facts that a few Indian representatives ought to have been made members of the Commission. I was reading a speech reported in "The Pioneer" (mail edition) a few days ago by a most distinguished member of the Legislative Assembly, who is himself a Hindu of high position and ability. It was the speech Mr. Goswami made at the All-India Congress Committee, a meeting not altogether favourable to His Majesty's Government or the present Secretary of State. He said that he did not know if there were any Mahomedan organisations in the country which represented the opinion of the Mahomedans, but so far as his own community was concerned he was certain that there was no such organisation which could speak in the name of the Hindu community. We know it therefore from a very prominent member of the Hindu community that in his judgment there is no one in all India who can speak officially in the name of the Hindu community.

As to the opinions of Moslems, while we heard some repercussions in the newspapers during the last few days it has been my duty most carefully and in consultation with the Viceroy to study the expressions of opinion which have appeared in the Indian press and appraise their value. I am

not in the least depressed or discouraged by them. I knew there would be many who, whatever the proposal Government brought forward, would be dissatisfied with it, but I find many elements in the great and heterogeneous population who will not be dissatisfied and who in no event will make themselves a party to boycott. Don't let us ever forget that the population of India—I suppose a general figure will be sufficient for my purpose—is somewhere in the neighbourhood of three hundred millions, of whom some seventy millions belong to Native States and are not primarily engaged with the present enquiry. I shall suppose that out of the 230 millions remaining, about two hundred and twenty millions have never heard of the Commission and I do not believe it would be a bold prediction to say that about two hundred millions are unaware that they are living under the benefits of the Montagu Chelmsford reforms. One must retain some contact with reality when dealing with the Indian population. My Lords, remember how infinitesimal is the number of those who vote in the elections and of that fractional percentage who vote, how large a proportion consists of the illiterate class who mark their papers because they are unable to read. We in this House and those of another place have responsibility, not for the loudly articulate India, but for real India as a whole, that India which consists, as I have said, of three hundred million people. I only deal with it because I think it fails to be dealt with.

I saw it stated in the Commons that a book which created wide public attention called "Mother India" written by Miss Mayo, I think, was inspired either by the Government of India or by the Government of England. I should not deal with the matter if I were not struck by the complete irresponsibility which would enable Members of Parliament to make a statement so absolutely false and without a vestige of evidence. I most expressly invite the lady either to withdraw that charge or to produce the evidence.

#### Indians on the Commission.

I am dealing with the complexity of interests involved and am inviting the House to consider how it would have been necessary for me to proceed if I had taken a different decision or if I had been supported by my colleagues in taking a different decision and if we decided there should be Indians on the Commission. In the first place it would have been evidently necessary to have a Hindu member although I should have been in the difficulty which Mr. Goswami's statement made plain, that is, that there is no Hindu organisation. I suppose it would have been necessary in the first place to provide myself with a representative Hindu as a member of the Commission. In the next place the moment I had announced the name of a Hindu it would indisputably become necessary to provide for the Non-Brahmin Hindu, because the idea that the Hindu would be accepted as a representative member by the Non-Brahmin Hindu is to those who know facts ludicrous. In the next place I must have a Mahomedan and a Sikh, that is four native members to begin with. Let me inform the House, for these matters are not very widely known, that various remaining classes have in fact established their right to separate representation in the Provincial Legislatures, so that their claim is quite certain to be put forward in this connection. They will say, "Do not tell me I am to be represented by a Hindu or a Non-Brahmin Hindu or by a Mahomedan or a Sikh. My case is a different one," and they have in fact achieved recognition of their claim in one or other of the Provincial Assemblies. I take, firstly, the Christians. I

suppose that they are entitled to be at least considered in India. They are a growing community and they would certainly desire their views should be put forward.

Let me take the case of the depressed classes. There is in India a vast population even in relation to the numbers with which we are dealing, a population of sixty millions of the depressed classes. Their condition is not quite as terrible, quite as poignant as it has been in the past, but it is still terrible and poignant. They are repelled from all social intercourse. If they come between the gracious light of the sun and one who despised them the sun is disfigured for that man. They cannot drink at the public water-supply. They must make diversions of miles in order to satisfy thirst and they are tragically known and they have been known for generations as the "untouchable." There are sixty millions of them in India. Am I to have a representative of them upon this Commission? Never, never would I form a Commission nor would anyone in a democratic country, nor would my friends opposite recommend it, from which you have excluded a member of this class which more than any other requires representation, if you are indeed to put the matter to a mixed jury of the kind I am indicating. I have not dealt with others, aborigines and inhabitants of backward tracts, or special representatives of the cotton trade, all of whom have been strong enough to assert their claim to individual representation upon provincial assemblies. My proposition is more general. It would be impossible, to form a Commission other than a Parliamentary Commission which would not excite reasonable complaints of exclusion on the part of persons who have very strong claims to be included and what would the help be to Parliament? It is, I suppose, conceded that if I had had representatives of classes whom I have indicated, I could not possibly have excluded the Indian Civil Service. After all, the Indian Civil Service has deeply rooted interests in India. It has rendered a prodigious service over ages. Mr. Lloyd George once said that it is the steel frame work around which a whole building has been constructed. It is not, I imagine, suggested that if you admit to other than Parliamentary representatives, you could exclude members of the Indian Civil Service. Had we proceeded upon those lines, we should have found ourselves with a Commission of some eighteen or twenty people. That such a body would have been convenient for the task assigned to them, no instructed person, I believe, will seriously contend.

But, let us attempt to imagine the resulting situation, had a body, so unwieldy, in fact, been appointed. Does anyone suppose, there would have been a unanimous report? There may not be a unanimous report now, but at any rate we shall have a report which proceeds upon the same general point of view and principle. But, what would be the report from a body such as I indicated? What guidance would it give Parliament in the immensely difficult task that will await Parliament one or two or three years from now? It is obvious that because the tension and acuteness to-day of these unhappy communal quarrels are greater in my judgment than they had been some twelve or thirteen years ago in Indian history it is obvious you would have a very strong partisan Hindu report, a very strong Moslem report and three or four other dissenting reports from various sections deeply interested in the decisions which are taken. Imagine the Parliament being assisted by the disclosure of dissenting views of this kind. I ask for indulgent judgment, as to whether, confronted with this alternative I have not



taken the right view when I said that seven members of the Lords and Commons, well-known and respected in each House, shall go out, using every means of associating Indian opinion with them, and shall shortly pass and present to Parliament a report Parliament will be in position to understand, and by which it may usefully be guided.

But, it may indeed be very reasonably said: "Are Indians to be denied any opportunity of contributing to these decisions?" Had I made any such proposal, I should have known it is foredoomed to failure, not only in India, not only in the Commons, but indeed in this House. There is as great a determination to secure fairplay for reasonable Indian aspirations in this House as in the Commons.

#### Indian Committee's Functions.

Let me make plain what our proposals are, in this respect, for, indeed, think they have been very greatly misunderstood. It is our purpose that the Commission, when it visits India, should establish a contact with the Committee appointed for that purpose by the Central Legislature. I pause here to point out that, constitutionally, the Central Legislature is a body who most authoritatively can appoint members from its own numbers to confer with the members of the Commission. I assume that the appointment will be made because I cannot believe that those who are anxious to persuade the Government of this country that they are fit for a further measure of Self-Government will undertake the deep and most unwise responsibility of refusing to associate themselves with us in the first genuine efforts which we make to ascertain the road we must tread in common together if we are indeed to reach that goal. I therefore do not, and will not, assume that they will be guilty of the unwisdom refusing to appoint such a committee. Now, what would be the function of that Committee. It has been most irrationally assumed that they are merely to appear as witnesses before the Commission. That is not the case. They are invited, in a spirit of great sincerity, to co-operate as colleagues with the Commission. It is contemplated that they shall prepare in advance of the Commission's arrival—if they find themselves able to do it, this next cold weather or if they find themselves within the limited period unable to do it a year later—that they shall prepare their own proposals and come before the Commission and say, "These are our suggestions."

We claimed, and they claimed, that the West cannot devise a constitution for the East, that you cannot put Eastern wine into Western bottles. Well, if there be behind that claim (and I don't doubt it) sincerity of real feeling we afford them an opportunity of confronting our Commission with their own proposals, which can be made public, which can be analysed and criticised and can be accepted or rejected after that analysis and criticism. No greater opportunity was ever given than is afforded to the Central Committee in the first place by the suggestion that they should confront the Commission with their constructive proposals.

#### How the Commission will Develop.

Now let us try to see how the Commission will develop. It is very difficult to supply one's mind with accurate pre-vision to so many unknown, and, in the main unforeseeable, contingencies, but I will tell your Lordships how I think the Commission will develop in its activities. They will retain contact with the Committee of the Central Legislature, as long as their

deliberations extend to matters with which the Central Legislature is principally concerned and they will temporarily lose contact, when they are journeying to the provinces, but even here they will not be deprived of the constant refreshment of Indian opinion, for it is proposed (I see no recognition of this fact in any of the Indian papers) that, in every province in which they journey, there will be created there Committees of the Provincial Legislatures which will discharge some consultative functions with the Commissioners as is discharged at the centre of Government by the Committee of the Central Legislature. At no point, therefore, will the representatives of the Indian Legislatures be deprived of the opportunity of influencing the views of the Commissioners.

Let no one make the mistake of supposing that we are attempting to interpose into the scheme any official members. Members of the Central Committee and members of the Provincial Committees will all be elected and non-officials. I claim that no one could have done more than we have done to protect ourselves by making it certain that the Commission's report to the Parliament should be at least illumined by the knowledge of what contemporary Indian politicians are deeply thinking.

But observe our next stage. Not a word has been said in the recognition of this. Yet, let it be pointed out, that the enormous opportunity of intervening at the most critical moment of all is contained in our proposals. It is well known that we intend that after the Commission has presented its report, proposals of the Government on it will be sent, according to precedent, to a joint conference of both the Houses of Parliament. Your Lordships or those who were interested in the Indian affairs, at that time, will not have forgotten how considerable was the contribution, how unremitting the industry of the Joint Committee which reported upon the Montagu-Chelmsford proposals. It is our intention to create a similar body.

Supposing that it be a fact that despite the constant contact in India between the Central Committee at the heart of the Government and Provincial Committees of the Legislatures in each Province, to which the Commission will journey, if, despite all those opportunities of ascertaining opinion, the Indians have failed to make good their view upon the independent, unbiassed judgment of the Commission they are not even then compelled to acquiesce. They will on the whole have been given an opportunity which, in my judgment, has never before been given in the whole history of constitution-making to any people who are in their position. We invite them at the Central Government to appoint a Committee to come and sit with our Joint Committee. They can examine the Commission's report. They have been even given a function, if they could only understand it, more important than that of the Commission itself. When once the Commission has made its report it is finished, but its critics remain and its critics are most formally specially invited to come and sit with the General Committee in Parliament and develop criticisms and objections they feel to the Commission's report.

I cannot say more than that being deeply committed as we are, deeply committed to the view which I have attempted to justify in argument that this Commission must be Parliamentary in character we have neglected no resources which either our own ingenuity could suggest or our advisers could put forward to carry with us as far as we could Indian opinion at every stage.

## No Departure from Central Scheme.

If, without the destruction of our central schemes, from which we do not intend to depart, the noble Lords can suggest any method in which I can make it even plainer that our purpose is not to affront Indian opinion, but rather to conciliate and make it friendly to us, it shall most deeply be considered. But I add one word of caution only; we must take no step which would lead to the risk that we shall have two reports proceeding from two Commissions. The responsibility, as I have made it plain, is and must be the responsibility of Parliament. We have conceived of every means open to our imagination to associate with the conclusions which the Commission will present to Parliament Indian opinions, even India prejudices. As long as it does not destroy our scheme we will listen with sympathy to any suggestion. We are satisfied that we have discharged in the best interests not only of this country, but of India itself, the duty, which we have inherited from others, of composing the Statutory Commission.

Lord OLIVIER said that the appointment of the Commission had an unfortunate reception. Government had been very unfortunate in the circumstances in which their intentions were disclosed before any statement was made, but he felt strongly that Government and the Secretary of State had to thank themselves to some extent for the atmosphere in which it had been received. He did not think that Lord Birkenhead had been at all happy on previous occasions in the ground he gave for the appointment of the Commission. For, he had repeatedly taken the view that the matter could not be considered unless the Indian people and politicians showed signs of sense of responsibility and co-operation, whereas that consideration could not for a moment be expected to appeal to the Indian politicians. While it might be said that two hundred millions of Indian people might know nothing about the question of appointing the Commission, there could be no question that Indian political reform parties generally did possess the conscious political will of the Indian people and they desired means of self-government.

Lord Olivier then proceeded to ridicule the view that the Commission was a sort of examination paper set for Indians to see how far they were fit for self-government, when lights suddenly went out and the House was plunged in complete darkness. Lord Olivier continued to speak in darkness for a time but the House was then adjourned for half an hour till light returned.

Lord Olivier, discussing the personnel of the Commission said that when it was announced, the list seemed to him likely to be disappointing to most Indians who would consider it not of a sufficient calibre. He would be very sorry to see a movement on the part of Indian leaders to boycott the Commission. He opined that some of them had been rather precipitate in their action. For, having waited so long before committing themselves to non-co-operation, they might have waited a little longer. He hoped that Lord Birkenhead's statement would lead them to reconsider their position.

Dealing with the reasons for appointing the Parliamentary Commission and the great difficulties in the way of having a representative Indian Commission or a representative mixed Commission, Lord Olivier said that, when in office, he had often considered the matter and had always come to the conclusion that it would not be possible to appoint any other kind of

Commission than Government had done. The Labour Party, which at least had always been regarded as desiring to do the fullest possible justice to India, had decided to support the Commission without any intention whatever of routing off Indians and having the fullest confidence in them. Lord Olivier thought it was ridiculous to suppose that, after the friendly conversations Lord Birkenhead had with many Indians, it would be possible for him to have it in his mind to do anything which he knew would affront Indians.

He suggested that there had been a lack of preparation in connection with the appointment of the Commission similar to that which had caused the failure of the Geneva Conference, and he regretted that Government, before making original proposals, had not secured the co-operation of the representatives of the Indian people.

He suggested that, when the Commission left for India, it should make it its primary duty to consult on equal terms with a committee appointed by the Indian Legislature. There should be joint meetings of the two Commissions and report of those Commissions to the Houses of Parliament.

Lord Olivier said that the Commission would come into contact with genuine and patriotic Indians. The Labour Party had every confidence that the Commissioners would act in accordance with the spirit of the declarations made. Lord Olivier emphasised how much better Parliamentary Commission would be able to appreciate the value of evidence with the assistance of such Indian Committee appointed by the Indian legislature. His friends in India would realise that the Labour Party sympathised with the movement for Self-Government. The Commission was only a step and it was the best practical step which could have been taken at the present time. Despite the rather unfortunate circumstances he hoped Indians would withdraw from their attitude proposing to boycott the Commission as that would leave the situation as between England and India in a very deplorable and most hopeless position. Lord Olivier said that if Indians did not obtain all they wanted, they would obtain a great deal more than they could possibly obtain if they boycotted the Commission. He hoped that the Commission would at any rate place Indian affairs on a basis of continuous progress and development. He hoped this would be the final enquiry of this sort which with the assistance of Indians would formulate lines on which continuous progress might be made. He hoped Indians would even now abandon the attitude of boycott and see if they could come together on the Commission appointed by legislature and present the British Commission with a scheme, for that would have enormous and overwhelming influence in the result of the Commission. Lord Olivier proceeded to say "We know that Indians did not want to get rid of the British connection and the army and navy immediately. In time they did not want immediate Swaraj or Home Rule which was impossible and an unthinkable thing. They wanted a scheme which would give them in a number of years complete and responsible Dominion Government. Such scheme was not possible to-morrow or next year but a scheme was possible which would as rapidly as possible work out and produce that result. He wished the Commission most heartily a very prosperous and successful career, and trusted that the passing squall which had arisen through really undeserved suspicions of the intentions of Government though caused by prejudice created by the members of the Conservative Party, would blow over and the commission bring its labours to a prosperous end.

The Marquis of READING then said :—

The subject of the earlier appointment of the Statutory Commission has been discussed many times and by various Secretaries of State. I think I am right in saying that during my period of office I discussed it with the four Secretaries of State in different Governments and it is now to me a satisfaction to find that a conclusion has been reached to appoint the Commission at an earlier date than provided by the Statute of 1919.

I cannot but wish that the speech of the Secretary of State to which we have all listened with so much pleasure and interest had been delivered earlier. It might have prevented much that has happened since. It is useless now to go back on that period but nevertheless it seems to me that it is most unfortunate and in some respects incomprehensible that, whilst we had had a statement made as early as November 8th which was in consequence of a premature and incomplete disclosure from India of the names of the Commissioners, we should not have had an opportunity of a debate in the Lords which would have helped very much to clear the atmosphere.

In Lord Birkenhead's speech and also in Lord Olivier's there is material which I trust will cause Indians to ponder over seriously before they proceed with the movement which in some quarters has been definitely adopted and announced. The difficulties of an earlier debate no doubt arose from the fact that as the Statute had not yet been passed which permitted the earlier appointment of the Commission it would be impossible constitutionally (so I gathered) to discuss the appointment of those who were to form the Commission. It seems to me there might have been ways found to enable us to proceed with the debate and at least to listen to so much of Lord Birkenhead's observations to-day, at least a fortnight earlier. But all that is past and what we have now to do is to attempt to rid India of the notion that Government intended to place any stamp of inferiority upon or humiliate in any way Indian politicians or Indian Nationalists or that there has been the slightest desire to say that the Indian is incapable of standing on an equality with the British in matter of this character. That certainly was not the idea, I am sure.

For my part I give the most unqualified support to the proposal put forward by Government. This is in no sense a party question. India fortunately is outside party controversy. The main grounds of the policy are well sifted. They were adopted by Parliament. Several Governments have been in existence since the Act of 1919 and there has been no deviation from the policy which was declared in 1917 and carried out by the Statute of 1919 and I am confident there will be none because the statement made and especially the declaration by His Majesty on the advice of his Ministers to the Indian people is in itself a charter which cannot be abrogated and from which there can be no deviation but the real points that divide Nationalists in India and those not prepared to go forward as fast as the Nationalists would desire are questions of time, method and the various steps that might be taken on the road to that self-government which is promised to India within the words of the Statute.

I myself often wondered and considered what form the Commission should take. I am emboldened, especially by the observations made by Lord Olivier, he referred to certain proposals made to and discussed with me when I was Viceroy, to remind him that when his Government was in office,

proposals of this character relating to an earlier appointment of the Commission were discussed between his Government and myself.

Lord Olivier interjected : " I said those would appear in the noble Earl's memoirs."

Lord Reading retorted :—" Well, I am not going to wait until they appear."

This has been the question agitating the mind of every Secretary of State and of the Viceroy of the time of myself and my successor. There has been no period at which we have not been discussing it. I find some satisfaction in the thought that I always favoured appointing a Commission in the cold weather of 1927 and I am very glad indeed that my successor Lord Irwin has come to the same conclusion and that Government itself has arrived at that decision.

The real difficulty with which we have to deal concerns the composition of the Commission. It is said it is an affront to India to appoint a Parliamentary Commission and exclude Indians. I cannot but think there is a misapprehension in the minds of those who have come to that conclusion—very serious misapprehension, it is not to be wondered at. I think we must be a little careful not to blame Indians for any views they may have expressed, when it is remembered that they know of the Commission and its composition before they were aware of any of the very admirable safeguards introduced by Government.

If the Commission were to be appointed composed of men with experience of India, who had lived part of their life in India, had perhaps held office as Governors of provinces and, various persons who for one reason or another had considerable knowledge of Indian affairs, I should have said without hesitation that we could not have appointed such a Commission without appointing a number of Indians and I doubt very much whether there would have been any division of opinion on that subject. But that is not the Commission appointed. It is a totally different one. Indeed the selection made is of gentlemen Members of Parliament of both Houses, who have had no special experience of India, who may perhaps have paid a visit to India but merely as sightseers and tourists and who have had really nothing to do with the administration of the affairs of India and that is the central point on which all argument must rest; for it is quite impossible to find any gentleman who has passed his life in India, who has perhaps been born and lived with his family there, who could approach this question with the same standpoint as those who have been appointed and who will sail for India in order that they may inform themselves and then inform British Parliament.

#### The Muddiman Enquiry.

I wondered sometimes, when reflecting upon the Commission, composed of British and Indians, how it would be possible to find Indians who had not already committed themselves to a definite view and I think I shall be borne out by every one with a knowledge of Indian politics if I say there is no leading Indian politician who might not aspire to be a leader, who has not committed himself again and again on the very subject we are now discussing. It occurred to me during the debate that the earliest occasion on which I remember some resolution in favour of anticipating the date of the Commission and appointing it much earlier than 1929, curiously enough, arose actually in 1921 just after Parliaments had been inaugurated and

almost within a month or two of my succeeding to Lord Chelmsford. It was one of the earliest resolutions I encountered in India and it certainly was during 1921. That was the state of affairs which continued until 1923 when there were resolutions and in 1924 there were definite resolutions to that effect. A committee was appointed, of which Your Lordships are no doubt aware, which was called the Reforms Inquiry Committee. It was very often called the Muddiman Committee. It was composed of Indians and British. Sir Alexander Muddiman who was then the Home Member and Leader for Government in the Legislative Assembly, was the Chairman. Associated with him were two British members, Sir Charles Innes, who was a member of the Viceroy's Council for Commerce and Sir Arthur Froom, who was the unofficial European representative.

#### The National Demand.

The other six composing the Commission were Indians. I do not desire to travel into the history of that Commission. I only refer to it to point out that as a result there was a very full debate in the Legislative Assembly in 1925 in which resolutions were formulated representing the views of those who favoured an immediate advance and who stated from their viewpoint what they wished Government to do. There was a very long resolution which formulated the Constitution. It left details to be settled by a Round Table Conference or by a Commission but substantially what they wished and the views were that there must be both a Central Legislature and Provincial Legislatures, composed of representatives elected on a wide franchise and that the Governor-General in Council should be responsible to the Central Legislature. Finance and various matters were dealt with and there were certain reservations regarding the Army into which I need not go but it was definitely shaped by the leaders of political thought in India, certainly by those who were taking a prominent part in the debate in the Legislative Assembly. I noticed the names of those who spoke strongly in favour of those resolutions and who of course were entitled to represent their views with all the force they could command. They were doing it in a perfectly constitutional manner, and although, as Government, we might not agree with them and thought they were proceeding too fast and going too far, yet no fault could be found with their manner of presenting the case or with the resolutions which from their viewpoint they advanced.

#### Exclusion of Nationalists.

But all those who made themselves responsible for that definite declaration are now taking part largely in the agitation which is proceeding in India for boycotting the Commission. A question I have put myself and which I have no doubt the Secretary of State must have considered again and again is: Would it be possible to appoint a Commission in which leaders of Nationalist opinion could participate with the knowledge that they themselves, not once but over and over again, have committed themselves to a definite view as to the policy for which they wished and from which they would not depart? It seems to me that it is really putting men on the Commission with the knowledge that the opinion they would express are the opinions they have already expressed. I am prepared to admit they would sit on the Commission with every desire to be perfectly fair and keep an open mind. Nevertheless, they have been thinking about this subject for a very long time and, as I have indicated, have already given pledges

from which it would seem very difficult for them to recede. I mention that again merely for the purpose of illustrating the difficulties there would have been had Government set about appointing a Commission composed of those with Indian experience and left these men out. It would at once have been a challenge to Indian political opinion and thought and it would have been assumed that it had been done purposely with the object either of humiliating them or of preventing their voices and opinions from having a full weight.

#### No Alternative but Parliamentary Commission.

Confronted with all these difficulties and those mentioned already by the Secretary of State, which I won't repeat, it seems to me there was no alternative but a Parliamentary Commission. I cannot profess to say what was in the minds of Mr. Montagu and Lord Chelmsford when the particular clause of the Statute was drafted and when they came to the conclusion that there should be a revision. I don't know what they had in mind, but I should be very surprised to find that they had definitely ruled out altogether a Parliamentary Commission. I should not be surprised to learn from them that what they always contemplated was a Commission of Parliamentary representatives from Britain. I have arrived at my conclusion entirely unaided by the Secretary of State. By that I mean that, although I had with him during the period I was Viceroy and since many discussions on Indian affairs and on this subject, I was not aware of the decision of the Government to appoint a Parliamentary Commission until just a little before the announcement was made.

That enables me to say that my views are quite independent, quite free and unbiassed by anything that may have been said recently at any rate on this subject by the Secretary of State to me. And that conclusion to which I came is the conclusion which Government had already reached. I cannot think there was any other course open.

#### The Olivier Proposals.

Although it is a great satisfaction to find there is no division of opinion in the Lords regarding the appointment of the Commission and certainly none regarding its members, I was a little troubled in my mind by the suggestions of Lord Olivier. I do not propose to analyse proposals. I do not know whether the Secretary of State had them before him when he was speaking. All I will say is that I should have thought those proposals, in the language which he read to us and which I presume therefore represents formally what is desired by the party, were quite impossible of acceptance. Without attempting to travel into them in detail to suggest for a moment that there should be two reports, one by an Indian Committee—that is of those gentlemen who be in India, constituting the Committee that was to be formed—and another by the Commission to be appointed in Britain, would really be placing the Parliamentary Commission in a position which I do not think I am exaggerating when I describe it as impossible.

#### "Dispassionate Hearing" for India.

If one draws a picture of what would happen in such conditions, one immediately arrives at the result that chaos must ensue. You would have two totally different reports, I suppose. In any event I do not intend to go further into those proposals. They are matters for His Majesty's Government. I am merely expressing the views which I have reached and of those



who are associated with me in this House. There is much to be done although I could not go anything like the length suggested by my Noble Friend. I believe no better plan could be devised, certainly I am unable to think of one. There has been no more elaborate plan prepared to safeguard the interests of Indian politicians and of those who although not politicians may nevertheless desire to be heard upon this subject, than the provisions that have been made no doubt in consultation between the Viceroy and the Secretary of State. It is especially with reference to those safeguards that I should like to make a few observations. One cannot tell how much of what one may say in this House may travel to India. I have received telegrams from leading Indian politicians with whom I was on terms of friendship in India, appealing to me in this respect. My answer must be that all safeguards they really could desire are already provided. They have an opportunity of presenting their views not only by the Committee of the Central Legislature but also by the Committee appointed by themselves, a non-official committee of elected men, unofficial in every respect for the purpose of arriving at the conclusions they wish to put before the Commission and there they may be quite certain they will get an excellent and dispassionate hearing.

I cannot myself think a better Chairman could be found for the purpose or one who would satisfy Indian public opinion more thoroughly than Sir John Simon who is going out to undertake this very responsible duty.

#### Hopeful of a Change.

I am oppressed by some apprehension lest Indian politicians may be led away into carrying out this policy of the boycott or refraining from presenting themselves and refusing to have, in the language of one telegram to me, anything to do with the Commission in any shape or form. I know Indian gentleman, indeed an Indian he was going to say of every class is very sensitive. He is perhaps none the less sensitive because he is ruled by a Government which is not his own and is prone to take offence where none is meant.

He is, because of these very facts, rather inclined to think there is some desire to wound him, to place him in a position of inferiority. When he has read what the Secretary of State has had to say to-day I believe in his heart he will find he has been mistaken. Although it is very difficult for a politician in India as in England to recede from a position which he has once publicly announced, yet I am hopeful there will be a change and that it will be recognised that everything that could be done for them has in fact been done in this connection.

I would only add, in conclusion, that some of my Indian friends, if they look back on the events of the last few years and even beyond, will find that the policy of abstaining from any intercourse with the Commission or with the Government has not always been productive of benefit to India and it is rather a perilous instrument to use and sometimes it recoils upon those who adopt it. If the policy is persisted in, I do not hesitate to say that a grave error will have been committed.

#### India's "Opportunity."

An opportunity is presented to India to put the whole of her case before a tribunal presided over by a Chairman of the character and capacity of Sir John Simon. But the whole purpose of it is that the gentlemen forming the

Commission should inform themselves, educate themselves to speak, when they are in India, on the views of Indians, that they shall learn everything that there is to be said on the subject, that they shall duly and faithfully report to Parliament when they return, and that they shall give their conclusions which at least we may be assured are not conclusions of those who reason *a priori* but will be decisions arrived at by them after carefully weighing and sifting all the evidence that is presented to them.

#### Diarchy.

Regarding the Montagu-Chelmsford Reforms, I have expressed the opinion before in the Lords and also in India that they have proved on the whole to have been better devised even perhaps than those who had the leading part in them themselves thought at the time. I am not for a moment suggesting that they are incapable of amendment but I believe that in them is the foundation well-laid and that it rests with India now to show to the British public that from the experience she has had, from the knowledge she has acquired of Parliamentary Government from all various events during these eventful years—after all the Legislatures have only existed since the beginning of 1921—she is now able to present a case and arguments which will enable the Commission to form its own opinion and report to Parliament when Parliament will again have an opportunity of hearing the Indian Committee. If they desire to make representations in those circumstances they have really the best protection that could be devised for them and it would be very unwise, I venture to think, if they refrained from making every possible use of the opportunities afforded them.

Lord CHELMSFORD said he was deeply committed to the belief that the inquiry should be through the medium of a Parliamentary Commission. He emphasised that Indians should be closely associated in a very effective way with the working of the Commission and earnestly hoped that Lord Reading's appeal to India would reach them.

He further emphasised that there was no reflection at all upon Indians in the constitution of the Commission and there was no idea of shutting them out from a full expression of their views. He pointed out that Mr. Montagu and he were closely conditioned by the announcement of His Majesty's Government in 1917 and the same condition applied to the Commission.

Reviewing the history of the Reforms in India since his time, Lord Chelmsford expressed the opinion that the ball had been set rolling by the very remarkable speech of Lord Sinha as the President of the Indian National Congress of the Christmas of 1915, pleading to the British Government to declare their policy with regard to the future constitutional development.

#### Origin of "Diarchy."

Lord Chelmsford said that when he returned to England from India in 1916 he found a Committee of the India Office considering the lines of the future constitutional development. The Committee gave him a pamphlet broadly outlining the views which, when he reached India, he showed to his Council and also to Lord Meston and it contained what is now known as the Diarchic principle. Lord Chelmsford explained that the epithet "Diarchy" originated from the remark of Sir William Meyer when he heard the proposal that it reminded him of the division into Central and Imperial

Provinces under the early Roman Empire which Mommsen (1) called "Diarchy."

Lord Chelmsford said that his Council and Lord Meston both reported adversely on the proposals in the pamphlet. Lord Chelmsford then proceeded to consider the despatch on different lines in the nature of an extension of the old Morley-Minto Reforms but Sir Austen Chamberlain, then Secretary of State, pointed out that these proposals failed to fix the enlarged Councils with responsibility.

Lord Chelmsford thought that in that criticism of Sir A. Chamberlain lay the basic principle of the announcement of 1917. It was true that Mr. Montagu was then the mouthpiece of that announcement but it was common knowledge that the announcement had been substantially framed before Mr. Montagu assumed office. When he and Mr. Montagu met in India in November in 1917, they found that both had arrived at substantially the same conclusion, namely, that in order to carry out the announcement, the diarchic method must be employed.

Lord Chelmsford recalled that the Reforms were introduced under unfavourable conditions, namely, the Punjab disturbances, non-co-operation and financial stringency. He hoped his old friend Sir John Simon, would start his Commission under more favourable auspices and expressed delight at Sir John Simon's appointment. He hoped that the report or advice the Commission gave when it reported would square with the announcement in the manner in which Mr. Montagu and he had to square their proposals of 1917. He might have been unfortunate in his attempt to carry out the terms of the announcement but he hoped that the Simon Commission would be more fortunate. He concluded by saying that all quarters hoped that the Commission would be successful in the great enterprise.

Closing the debate, Lord BIRKENHEAD declared, "I do not think it is necessary to add more than a word to the very remarkable debate. Seldom, indeed, can a discussion have been informed by more knowledge. There has been contributory to it a former Secretary of State, who was in office at a very troubled period in the history of India, and two Viceroys, each of whom was charged with special and grave responsibility during the period of his office.

"I am greatly encouraged by the realisation that none of those three has quarrelled with or challenged the broad decision of His Majesty's Government. Is it too much to hope that so remarkable an unanimity—for I exclude minor points upon which some criticism has been expressed—is it too much to hope that so remarkable an unanimity of opinion among men of so vastly different experience and so representative of every political thought in Britain may travel to India? May it so travel and may it have the effect of persuading men of prominence and position in India. They would be rash in prematurely, perhaps irretrievably, committing themselves to a course which perhaps hereafter will prove to be unwise and irreconcilable with their own ultimate interest.

"On this point Lord Olivier has addressed the word of wise caution which I venture to adopt and repeat. I will only add that I am deeply grateful for the spirit which has prevailed during the debate and for the successful contribution which I am persuaded it has made to the difficult situation in which we find ourselves."

*The House agreed to Lord Birkenhead's resolution without opposition.*

## Debate in the House of Commons.

On the 25th November in the House of Commons Earl WINTERTON moved the resolution regarding the appointment of the Indian Statutory Commission.

At the outset, he replied to a question regarding the incidence of the cost of the Commission, put by Col. Wedgwood ten days ago, and said that under the Government of India Act, Indian revenues would bear the cost of the Commission, but His Majesty's Government had decided to contribute £20,000 towards it.

Earl Winterton said that he hoped and believed that Lord Birkenhead's statement in the Lords and the speeches that would be made to-day in the Commons from Treasury Benches would allay apprehension in India as far as those apprehensions were based on honest doubt regarding procedure, although H. E. the Viceroy's announcement contained a full and generous recognition of India's legitimate claim.

He considered that it was necessary to grasp and appreciate two conceptions, if any common ground was to be reached between His Majesty's Government and their critics, although it was not easy to divide those two principles.

First of those principles was that "upon Parliament lies the responsibility and ultimate decision,—a responsibility which cannot be shared with or handed over, to any other authority."

The second was that "the composition of the Commission and every detail of method contemplated in connection with the enquiry, indeed the whole statement made by Mr. Baldwin in the Commons on 8th November and by Lord Birkenhead in the Lords, form an integral whole which stand or fall together."

Earl Winterton recalled that the Act of 1919 was passed with the assent of all parties. At that time there were Indians who repudiated the Preamble of the Act and denied the right of Parliament to determine the Indian Constitution. Advocates of this view-point demanded and still demand that responsibility for peace and good government and moral and material progress, which has been directly assumed by the Crown, should be abruptly discredited but that was an untenable conception to-day for those who accepted the Act of 1919.

Parliament, whether right or wrong, could not throw off responsibility at this stage. There was much of falsified history in connection with the situation that Britain found when she first went to India and assumed responsibility for the present and for the future of the Indian people, especially as the trustee of minorities.

Earl Winterton scouted the attempts to compare conditions in India, Ireland and Egypt, since Egypt and Southern Ireland were far more homogeneous than that great sub-continent of India had ever been.

"If you examine the situation in India, you do not find the Fellaheen of Egypt cringing in awe before others of his countrymen, like the depressed classes in India before the Brahmin or the high-caste Hindu. Theoretically in a country like Egypt, where the predominant religion is Islam, every one is equal before the religious law. Take the case of South Ireland. I do not think I have ever seen in the history of Ireland such bitterness between the Catholics and Protestants as between Hindus and Moslems in Northern India. I do not intend to wound Indian feeling but in a debate of this kind we must face facts in order to come to a reasonable decision."

With regard to the composition of the Commission on which point the Act of 1919 was silent, Earl Winterton drew attention to the fact that leaders of the Opposition in the House of Lords yesterday, including Lord Chelmsford, agreed with Lord Birkenhead that the Parliament of 1919 contemplated such a composition as was laid down in this resolution now moved.

Earl Winterton continued: "Nobody who knows India will suppose that two Indian gentlemen, whatever their position or intellectual attainments, could possibly represent all the political, racial and economic factors in India. They could do no more to put their interests forward than could be done by their numerous fellow-countrymen. They could not do as much to influence the

Commission as the properly accredited representatives of the Indian Legislature who will have every opportunity of presenting and emphasising their case could do.

Earl Winterton continuing said that nobody in this House or in India would be satisfied with one or two Indians. The second proposal for a mixed Commission had more to commend it, although it had been rightly rejected.

#### A Physical Impossibility.

Earl Winterton enumerated a dozen separate interests which had successively demanded the recognition of one or another legislature and expressed the opinion that if only half a dozen of them were selected to form a mixed Commission it would not be easy to find a single representative who would command the confidence of the component parts of each of the six remaining groups. He was convinced that mixed representation of Indians and Europeans, official and unofficial, resident or lately resident in India, would be a physical impossibility.

Earl Winterton said he was more concerned with Lord Chelmsford's agreement with Lord Birkenhead because Lord Chelmsford was the author of the report and the Viceroy at the time. Obviously it was very desirable, and that must at any rate have been in the mind of Parliament at the time the Act was passed, that the Commission should not be unwieldy numerically and that the members, though necessarily differing in their outlook towards the Indian problem arising from a difference in their own political views, should be moved by the same fundamental conception of the duty which the Act of 1919 lays on them. Would a mixed Commission satisfy that consideration?

Earl Winterton next dealt with "the fantastic proposal" of the various newspapers to include on the Commission India experts serving in this country. He asked how they could logically include ex-Viceroy and Governors and exclude Indians and Europeans spending their lives in India. A similar argument applied in the case of the suggestion that Sir. Frederick Whyte should be placed on the Commission.

Dealing with the Commission and its functions, Earl Winterton decided it was absurd to say that the Commission, carefully chosen from both Houses and blessed with a Chairman in the centre of the front rank of Parliament and Law, was not the instrument by which Parliament would be able to discharge its responsibilities. It was perfectly possible to be realist without abating a jot from consideration for or sympathy with the ideals of Indians in public life.

Earl Winterton asked whether Parliament was not to listen to the millions of people outside the electoral system in India by obtaining their views directly through its chosen representatives which members of the Commission would be and also whether Messrs. Walsh and Attlee were less likely to be sympathetic to the Moslem minority or the millions of untouchables than Brahmins or members of the Hindu majority.

Evidence was daily accumulating that a raging, tearing propaganda against the Commission by certain persons, who were always opposed to the Government of India as they were entitled to be, did not present the real views of a very large number of people in India who took interest in these matters.

There seemed to be some misunderstanding about the functions of the Central Legislature, and of the Provincial Councils. That must obviously be left to the Commission to settle. We could not tie their hands in advance. It was a novel and unprecedented procedure to which the Commons was asked to concur. It was not desirable to attempt to tie the hands of the Commission or in any way dictate to its distinguished Chairman, but the Committee of the Central Legislature and Provincial Committees would be more than mere witnesses and would be able to prepare the case for further self-Government as it appeared to them.

Never had any part of the Empire prior to receiving partial responsible Government or full dominion status such opportunities of influencing directly the British Parliament. It was not done in the case of Canada and Australia or in the most recent case of Rhodesia.

As regards complaint from outside that India ought to have been consulted in advance whether it would accept this form of constitution or not, Earl

Winterton pointed out that apart from the fact that responsibility must rest upon His Majesty's Government, we were consulting Indians through the Commission.

"I refuse to believe that they will not take that opportunity that they will not assist freely in the very formidable task of revising and reinforcing the constitution of the Empire within an Empire which India is."

Mr. Ramsay MACDONALD following said that he rose, in the name and on behalf of his colleagues, to support the resolution which had just been moved (cheers), offering at the same time most sincerely some advice which they hoped, if accepted, would make the procedure of the Commission, which they supported, more acceptable to Indian people than it otherwise would be.

He must say he regretted that there had not been more consultation between Government and representative Indians for the purpose of paving the way. In this respect, Government had repeated the mistake they had made in the Geneva Naval Conference. He was sure that had Indian opinion and Indians who had made that opinion as well as those who had voiced it possessed the sympathetic ideas that the Under-Secretary of State had just enunciated, we might have been relieved of the antagonism that had been caused by the Government scheme.

What this House had to do was to recognise quite frankly the widespread suspicion that existed in India and what he hoped the debate would do was to remove at any rate a substantial part of that suspicion. If they could do that and convince some of their friends that they had been rather hasty in passing resolutions then it would be good for India and ourselves.

#### Parliamentary vs. Royal Commission.

The first question dealt with by Earl Winterton was a Parliamentary Commission vs. the good old-fashioned Commission. He himself had been a member of a Royal Commission appointed to inquire into Indian affairs and he sat on it for over two years under the presidency of Lord Islington. It was a Commission to inquire into the public services and he saw a good deal behind the scenes and took some active part in the negotiations which had to be undertaken in order to get the report of that Commission anything like unanimous.

He felt bound to confess that his experience of that Commission convinced him that a Royal Commission appointed, as that Commission was appointed, to inquire into the Indian Constitution would not be an efficient body. If there was nothing else to be done we would have to appoint one but it was the duty of the Government to consider whether a better system of finding what Indian needs and Indian opinion were could be instituted.

One of the great difficulties of having a mixed Commission, as a Royal Commission, was first of all the difficulty of selection. So far as his party were concerned they had never approached the problem relating to a constitution of a country, they had never criticised the action of the Government of a country, without keeping in their minds in a most prominent and important position the question of the minorities, how the minorities were dealt with, what the relations between the majorities and the minorities were, as being a fundamental essential to the good government of a country.

Therefore it would be absolutely impossible for them to support any Commission or enquiry selected in any way conceivable unless they had assurances that upon that Commission or enquiry the needs of the minority would be adequately secured.

There was another consideration that followed from that. Without in any way suppressing or thwarting opinion, it was desirable that when the enquiry was finished we should have a report that would really help us. What would be the report that we would get from a Royal Commission appointed in the same way as the one of which he was a member? It would be absolutely impossible to get a report. They would get reports. There would be a majority report and a whole series of minority reports. They would also have a series of reports signed, with various paragraphs in them, with asterisks and foot-notes amounting to a very considerable number appended, and then the House instead of getting a guidance for a Joint Parliamentary Committee, which would be set up as the second stage in this enquiry, instead of having some sort of well-gifted and

co-ordinated evidence and guidance, would itself have to regard the various sections as though they were so many witnesses.

The reports of such a Commission would not carry this House beyond being in the position of listening to so many witnesses. He would like the evidence of witnesses to be sifted in such a way, that it could be co-ordinated and got into some sort of a composite scheme that, as far as human intelligence and ingenuity could, would meet the various points of view and present a common photograph. That would not be possible if the House appointed such a Commission as he had mentioned. It would give them a minimum instead of a maximum guidance.

#### Parliament's Responsibility.

It was perfectly true, that when they were in office in 1924 that question was before them. They were never able to produce a scheme, but he could say that as the result of a variety of conversations, consultations and considerations their minds had turned in the direction of using the Parliaments of the two countries as the enquiring bodies. They never went further than that. If there was anything which representative democracy held in high esteem, it was the Parliament of its representatives. Those who believed in democracy and in organised public opinion created for the purpose of making that opinion effective in administration and legislation, must of necessity hold Parliaments as the highest expression of that public opinion in any country.

When they supported the suggestion that Parliament itself, as the representative and custodian of the people of this country in all political and constitutional matters should say to the Parliament of India, "We are going to regard you as the representative of Indian opinion, we are going to recognise you as having an authority, function and position like unto our own in your country and when we want to know what is going to be the Constitution of India in the future, when we want to know what the opinion of political India is, we appoint a Commission. You appoint a similar body and the two Commissions working together in harmonious co-operation with each other are going to report to the House of Commons what the lines of the new Constitution should be", then, instead of insulting public opinion in India, instead of belittling the political intelligence of India, they were doing it the greatest compliment one Parliament could ever do or that one nation could ever do to another, with which it is in political relationship.

Their concern, therefore, was the relative status of the two bodies. That was what it came down to, the relative status of the Commission which they are going to send out to India and the Commission or the Committee in India, by whatever name they might call it, for he was not concerned with baptismal certificates.

#### Status of the Indian Joint Committee.

The only problem they had to solve—and it was one Indian public opinion intended they should solve—was what was to be the relative status, of the two sections of the enquiry that was to be set up. The Prime Minister's statement the other day was a little unfortunate in this respect. A good deal of misunderstanding, and he hoped it would not be misunderstanding after this debate, had arisen in India not owing to the intention of the statement but owing to the form of the statement. When he heard it, he said, "That is a very unfortunate statement if Government mean to give any sort of recognition to people who are very sensitive on points of self-respect." Because the impression conveyed, and he was sorry it was the impression that India had taken up, was that we were appointing a Commission to go to India to meet a Committee appointed by the Indian Legislatures and that the chief work of that Committee was to present a report and hand it in writing to our representatives.

Although no one could resist the constitutional and historical survey of the position made by Earl Winterton, the less it was emphasised the better. What should be emphasised was the one or two sentences in Earl Winterton's statement which emphasised exactly the position that this Parliament had sincerely taken, that there should be no sense of inferiority and no relationship of inferiority imposed upon this Indian Commission, but that one Parliament was honestly and

sincerely desirous of consulting the other Parliament as to what was the best thing for the country.

He was sorry, therefore, that this debate did not take place before now. He was sure that had the Secretary of State made some sort of speech earlier, of a more liberal and more generous character, much of the misunderstanding would have been removed.

#### The Attitude of the Labour Party.

The Secretary of State yesterday made certain references not to the negotiations because they were not negotiations but the consultations which he and some of his colleagues had over this matter. He wished to say candidly and frankly that, although they were in no way responsible for these proposals, he must say that in the course of those conversations and those explorations as to the meaning and intention behind and below the declarations that had been made in this House and elsewhere, he was bound to say that he found in Lord Birkenhead's mind a sincerity of desire to pursue a liberal policy and treat the representatives of the Indian Legislature in a most open, most friendly and most co-operative way. It was absolutely impossible, of course, to devise a formula to ensure that. They had tried their hands at it and they had failed. It was also impossible to produce a programme of association. That also had been tried and they had failed.

There was one or two essential points which, he was sure, if the Indians had an assurance upon, would remove a very large number of objections and a very large part of their suspicions.

#### How the Commission Should Work in India.

First, they (Labour) advised most strongly that if the wording that the Prime Minister had used in making his announcement implied that the relative status between our Commission and the Indian Commission was to be a status that would be established between a Commission and a witness to a Commission that should be removed at once. There must be no idea, and he hoped the Commission would not have a particle of idea in its mind, that the representatives of the Indian Legislatures were simply going to present a written report, to be wished temporarily good-day, to leave our Commission to examine that report, to discuss it among themselves and then to call back Indian representatives to sit at the other side of the table and answer questions that might be put to them for the purpose of illuminating that report. That was not our intention and it ought to be made perfectly clear. The intention was, and if it was not carried out the Commission would not be so successful as he knew it could be if it was properly handled, to go to India, to see at once our colleagues appointed by the Indian Legislature, to get a statement, to exchange views upon it, to negotiate with them, to regard them just as members from this side of the House, who would sit round in a Commission and use their common intelligence and common ideas for the purpose of producing the best report.

There was another point—in the examination of witness. There were certain witnesses and certain classes of witnesses which our Commission must insist upon. Nobody who understood India would deny that that must be. There must be a considerable number of such witnesses and in the examination of those witnesses he strongly urged that the Commission should have the Indian Commission sitting with them, Sir John Simon presiding over the joint sitting of both, and Indian representatives having exactly the same rights and status as the members of our own section.

#### Indian Committee to Report?

The adoption of the idea of a joint session, wherever it was possible, would he thought, remove a large number of Indian suspicions. Some people had said that the Indian Commission could not make a report itself. Others had said we ought to authorise it to make a report. His position, and, he thought the position of his friends, was the quite sound constitutional position, so far as the House of Commons was concerned, that they could not give the Commission of the Indian Legislature any right to make a report, nor on the other hand could they with



hold from it the right to report. It was not our Commission and we were not responsible for it. It was not responsible to us and therefore what objection was there to letting it be known that as far as the Indian Commission was concerned, it could make a report as it liked and it could refrain from report if it liked. The body from which it owed its origin could deal with that report with exactly the same freedom as we ourselves could deal with our own report. He thought if that position was known, another large rock of suspicion would be removed.

By every statement that we made and more particularly by the forms in which we chose to embody our ideas, we should convey to the Indian people and the Indian Legislature that we were standing for the Commission of inquiry in a spirit of good fellowship and co-operation, in order that it might get the facts and opinions and reflections of the best Indians, so that it might present to us the very best and most useful report that it could produce.

### England's Duty to India.

Earl Winterton had referred to certain claims that we had made and had said that in dealing with a people for whom we had been responsible in days gone by, we should remember that a time would come for us, as Parliament and as a nation, to say to them, what many had said to their children who had grown up :

"You are going out into the world. I have done my best for you whilst you were under my wings and whilst I was responsible and now you must take the responsibility of the management yourself. God bless you in your future career." We had to make "up our minds with regard to our responsibilities and trusteeship for primitive peoples and subject peoples who were under our stewardship. It was said, in this respect, that if we were wise, right and liberal we would say to India "Go and do just as you like yourselves." That was not good. That was not wise. And that was not fulfilling the best service we could do for India and what was more that was not guiding the destinies of a growing world aright. The time was coming when the work of England would be finished and the India, which was then being substituted, would step out as a self-governing party. When that time came the departure must be with full cognisance, full freedom and good-will of this Parliament. Therefore, at this moment, when this new departure was taking place it was not right, it was not the good, moral way, it was not the way that went the furthest for us if we were to throw India out of door. It was for us to say to India "You have got your Parliament such as it is. You have self-government up to a point. We are prepared now, that another stage has arrived and on the threshold of that stage, that you and we should consult together and go on."

He, therefore, urged the Commission in the large area which was left for them to handle, he begged the Government and the Commission in the spirit in which he had tried to address the House, to go out and remove Indian suspicion and get complete co-operation and with that prayer he hoped the whole House would bid the Commission God-speed.

Col. WEDGWOOD laid stress on the fact that the great hopes of Indians before the names of the Commissioners were announced had been built on what the Commission might do, but their hopes of settlement had now ended.

Col. Wedgwood, referring to the Joint Parliamentary Committee, to which the Commission would have to refer, said, the Committee would probably include interesting but extinct dug-outs who would water down the report. It might take many years before all its stages have been concluded. Indians must now be thinking that when legislation was introduced in the Commons for the benefit of Indians, it would not depend on the report of the Commission, but the actual state of affairs in India at the time.

The exclusion of Indians from the Commission was particularly galling. Too long had Indians been charged with having the inferiority complex. It was only by making a self-sacrifice that they could get rid of that complex.

Col. Wedgwood said the abominations of child marriage and husband-worship filled everyone with nausea. All India was tarred with that brush, but all his friends in India had done much to prevent them and the other things denounced in "Mother India."

An open mind on the Commission was a good thing if it was not an empty mind. The Commissioners had shown no sympathy in the past. They were making acquaintance for the first time with a problem that had never interested them before. That was why India found it all the more difficult to accept the Commission as a gift.

Nothing could be more futile than Non-Co-operation but to refuse the favours of foreigners was a different thing. Indians remembered that boycotting of the Milner Commission in Egypt five years ago did not hurt the boycotters.

He was confident that Indians, who boycotted the Simon Commission, had nothing to lose. His only hope of the Commission was that very often good came out of evil.

Col. Wedgwood, in the course of his speech, said that after all one of the great advantages of English Parliament as compared with foreign assemblies was that, however strong public opinion might be in favour of a particular course, they could always find some crank to get up and support an unpopular cause. (Laughter.) Sometimes he proved right but it adds enormously to the reputation of the British Parliament that people who thought that they could not get justice could generally find somebody to put up a case.

Later, Col. Wedgwood said that they must remember that Indians had not forgotten a certain meeting at Downing Street between General Michael Collins and Lord Birkenhead when a Round Table Conference established peace and ended war, although it was not particularly reputable from our viewpoint seeing that it was surrender to force, but it started a new Dominion of the British Empire on self-governing lines.

Mr. THURTLÉ said that he thought that it was of vital importance that the Commission should obtain the co-operation of the Indian people. He felt that Earl Winterton was using the rights of untouchables, Brahmins and Muslims as a screen for the continuance of the British domination. We ought to recognise that we had no moral right to deny India complete freedom even to the extent of being entirely independent, without the slightest sort of connection with the British Empire, if India wished it.

Mr. Pethick LAWRENCE hotly resented this "tone of superiority" for if the Commission enquired into the conduct of the Indian Legislature that meant that the whole spirit was taken out of the business and that it was a sham. If the Commission worked according to the most liberal interpretation of its duty then boycott would be mistaken. If the Commission was a fake then boycotters would be justified.

Mr. SAKLATWALA declared that the Government were insulting and hurting the people of India. The joint conspiracy between Labour and the Government did not detract from the insult. He said the talk of protecting the minorities was bunkum. The whole commission was a farce.

Alluding scornfully to Earl Winterton's observations regarding our trusteeship for minorities, Mr. Saklatwala recalled that, twenty-five years ago, he was prevented from entering a white man's club in India for the purpose of conferring with a white doctor regarding the anti-plague measures though afterwards he was allowed to enter by the back entrance and a corner on the basement. Was that untouchability? Could the Commission alter that?

Every Indian politician felt that the Commission going out would deny Indians the right of self-rule. What right had Britain to send a Commission to India to see whether Indians were fit to govern any more than Britain had to send someone to France to enquire whether Frenchmen should rule themselves and whether the British should take care of the minorities in Alsace-Lorraine?

Mr. BALDWIN regarded the Commission as the most effective scheme for constitutional settlement in India. He took the opportunity of assuring Indians that Government earnestly desired that their opinions and the opinion of every man of good-will, Indian or British, should be accessible to the Commission and should be given the fullest weight.

Government did not intend to dictate to the Indian Assembly how they should

conduct their business. If they liked to vary their standing orders or whatever they could do, they were at liberty to do.

As to whether women would be among the expert advisers, they had complete freedom to take the best means they considered possible to attain their end.

Mr. Baldwin said :—I, as every member, of the House must welcome the tone of the debate to-day, and the general acceptance of the proposal which has marked the proceedings of the debate. There have only been two or three voices raised against the proposal. We are all very pleased to see Mr. Saklatvala back in his place. It is quite evident that during his absence, he made no speech against the government of the country he was visiting (meaning Russia) comparable to the one he delivered to-day, or we should most regretfully have been forced to do without his presence. When speaking of liberty, he must have lost for the moment his keen sense of humour. I felt that never had there been an exhibition more patent to the world of the high depth, breadth and strength of British liberty, than the sight of Mr. Saklatvala delivering that speech in the British House of Commons. There is only one word more I want to say about liberty. When I want information about liberty in Russia, I will go to M. Tortsy, not to Mr. Saklatvala.

I must repeat and re-emphasise some things already said. What has been criticised in the Commons has been less the Commission itself than its form, the form in which the Government's intentions were stated. For that, we have been blamed in India, where misunderstanding was greater, and I think genuinely greater. The Viceroy's announcement gave a full statement of the policy embodied in the procedure and if that procedure in that statement, was not reduced into more close and definite terms, the very reason of that was the reason indicated by the Leader of the Opposition, that is, the necessity of leaving the Commission itself as free a hand as possible until they arrived on the spot. Therefore, we are only giving the framework and within that framework, the Commission will be left free. They can pursue as many of the lines of procedure which have been suggested to-day as seem to them on consideration, wise and practical, only providing that such procedure is within the framework, and does not prejudice the ultimate responsibility of this Parliament.

Mr. Saklatwala's amendment.

Mr. Saklatwala moved to amend the resolution so as to make it read "That the House resolves to invite Pandit Motilal Nehru to the Bar of the House to explain Indian sentiments and guide the House as provided in the preamble of the Government of India Act of 1919, before concurring in submission to His Majesty, of the names of persons".

The amendment was negatived without discussion. The motion of Earl Winterton was carried.

## The Statutory Bill in the Commons.

The announcement of the Statutory Commission was made in both the Houses on the 8th November 1927. The second reading of the Statutory Commission Bill was moved in the House of Commons by Earl Winterton on the 22nd November.

In moving the bill Earl Winterton explained the procedure necessary if the names of the Commissioners were to be submitted to the King in the near future. He said, first, the Government of India Act must be amended by the substitution of the words "within ten years" and when Royal assent was received he would table a resolution that the House concurred on submission of names to His Majesty the King.

This would be debated on the 25th November when the Commission's composition and procedure as laid down in the Act, its projected procedure, incidence of expenditure and other kindred matters could be discussed.

Earl Winterton said that on the Bill only a very narrow point was at issue, namely, whether the date should be altered to allow the appointment of the Commission before December 1929. He declared that the announcement of the Commission being appointed "happily met with no opposition" Opposition was directed solely to the composition of the Commission.

He was unaware, until Mr. Saklatvala yesterday put down a motion for rejection of the Bill, that there was any opposition in any quarter of the House.

Earl Winterton pointed out there was no particular magic in the date, in the Government of India Act. It was fixed primarily to test the completed labour of three successive Legislative Assemblies. He said if the Commission was appointed the position would be that the third Assembly under the Government of India Act would complete its period of life and terminate sometime in Spring of 1929 namely, when the Commission had probably finished taking evidence but before presumably it had written its report. Thus, he claimed that the Bill although changing the letter, in no way offended the spirit of the Act.

Earl Winterton drawing attention to the recommendation of the Joint Select Committee of both the Houses of Parliament that there should be no material change in the constitution within this period, said that, firstly, this recommendation referred to an earlier recommendation in the Montford Report, that after five years' experience of the Act proposals should be invited for the modification as regards transferred and reserved subjects and secondly, there was not likely to be any change as a result of the alteration of the date of the Bill until well after the ten-year period had passed." It might be contemplated that the Commission would not report until at least well into the summer of 1929 and presumably Parliament could not be asked to deal with any alteration in the Government of India Act until 1930."

#### Labour Leader's Support.

Mr. MacDonald, supporting the second reading, said that the issue raised was very narrow, for unless the Bill was passed the House could not recommend to His Majesty to appoint the Commission.

Mr. MacDonald did not think the original Bill ever intended that it should tie itself down in this matter. The experiment of Reforms was intended to run a sufficient time, before any revision, to enlighten the House as regards their practical working. "If we had that experience for the next twenty years we would not add a particle to our knowledge of their practicability." He expressed the opinion that the Government was very wise in moving the Bill. He pointed out that the opposition in supporting the Bills were in no way tying their hands as regards the debate on the 25th November.

Mr. MacPherson (Liberal) also supported the Bill.

#### Col. Wedgwood's Opposition.

Col. Wedgwood (Labour) said that the Government always seemed to do the worst thing in the worst possible way. The Bill ought to have been introduced 8 months ago. He opined that it would be better not to appoint any Commission until it was known that Indian representatives welcomed it.

#### Rejection Motion.

After Mr. MacDonald had supported the second reading Mr. Saklatvala moved the rejection of the Bill.

He said that responsible Indian circles were bitterly opposed to the Bill. Indians did not desire a Commission for the purpose of justifying the Government of India Act, but wanted a sort of Round Table Conference to clear the air. Mr. Saklatvala urged the appointment of a Commission composed entirely of Indians, to come to Britain to cross-examine the Government, hear British witnesses and advise the House of the position.

The Labourite Mr. Buchanan seconded the motion for rejection.

Miss Wilkinson also opposed the Bill on the ground that an unfortunate atmosphere had been created by the publication of Miss Mayo's book.

Mr. Maxton, Mr. Strymgeour and Mr. Stephen supported the rejection.

Though at first they challenged a division, they did not persist and the Bill passed the second reading without a division.

Earl Winterton then moved that, in view of taking all stages to-day the Bill be immediately referred to the committee. Commander Kenworthy and Mr. Buchanan protested and eventually the remaining stages were postponed till the next day.

#### The Bill in the Committee Stage.

On the 23rd November in the Committee stage of the Bill, Mr. Saklatvala moved an amendment to clause 1, providing that the Commission be not appointed until the Legislative Assembly in India had agreed to the resolution approving the appointment, and contended that the present procedure was contrary to the spirit of the Act of 1919.

Earl Winterton said that Mr. Saklatvala had made a very serious charge of breach of contract, not only against Government, but involving the leaders of the Labour Party. He quoted the preamble of the 1919 Act to show the falsity of Mr. Saklatvala's charge, and declared that Mr. Saklatvala had absolutely no authority and had been repudiated by every responsible organisation in India, none of which had accepted him as their spokesman. He pointed out that the Assembly in India has passed no less than five resolutions in favour of acceleration of the date, and yet Mr. Saklatvala was proposing that these resolutions should be entirely disregarded. The acceptance of the amendment would be directly contrary to the spirit and letter of the Act of 1919 and the demand constantly made by the Indian Assembly.

The Labourite, Mr. Wallhead, declared that Mr. Saklatvala, when he visited India, was presented nine addresses by cities, which refused officially to welcome the Viceroy.

The Labourites, Messrs. Maxton and Beckett supporting the amendment, protested that Earl Winterton had not treated Mr. Saklatvala courteously.

Col. Wedgwood said that the amendment should have been met in a different spirit. Indians at present intensely resented begging for small doses of freedom. He considered that they should be treated in every way as equal partners. The time for petitioning had ended and the time for consultation had begun. If India was to pay for a Commission their confirmation before it was established should be natural and right.

Mr. Saklatvala declared that Earl Winterton's allegation, that every organisation in India repudiated him, was contrary to truth. He claimed that meetings of hundred and thousands of the people of India approved his

actions. He alleged that the Government had procured from India no representative Princes to talk to the League of Nations on behalf of India.

The Chairman pointed out that it was out of order to criticise heads of friendly Governments in such terms.

After further Labourite speeches, closure was moved by Mr. Hennessy and carried by 265 votes against 137.

Mr. Saklatvala's amendment was negatived without division and the first clause agreed to.

A number of short speeches of an obstructive character were made by Labour back-benchers on clause two, dealing with the title of the Bill, which was finally agreed to.

The Committee stage then concluded without amendment.

### Third Reading Passed.

During the third reading on this day, Mr. Wheatley expressed the opinion that Mr. Saklatvala's amendment was reasonable. The Bill, in its present form, was likely to do more harm than good.

The Labourite, Mr. Tom Shaw, supported the Bill and hoped that it would pass without division.

Earl Winterton expressed appreciation of Mr. Tom Shaw's speech and declared that a division on the Bill was likely to be misunderstood in India.

Mr. Maxton urged that, before proceeding with the resolution, responsible Indian opinion should have been consulted.

Mr. Saklatvala suggested that the Government should telegraph to the Indian Legislative Assembly and get their co-operation. This would only mean a week's delay.

The Labour back-benchers wished to continue the debate, but the motion of Earl Winterton for closure was carried by 267 votes to 120.

The Bill passed the third reading without division.

### Labour Conference with Lord Birkenhead.

On the 15th November a deputation of the Parliamentary Labour Party interviewed Lord Birkenhead on the question of the Statutory Commission.

Before the deputation waited on Lord Birkenhead it had received instructions from the Party Executive, not to press for the inclusion of Indians on the Commission, but to press for assurance of the fullest co-operation and consultation between the Commission and the Committee of the Indian Legislature. The representations of Col. Wedgwood and others, that any concession short of inclusion of Indians on the Commission, would not satisfy Indian opinion, proved futile, and the Party resolved that the Blackpool resolution on Indian reforms would be met by assurances in regard to consultation.

In this connection, the argument of the Parliamentary Labour Party leaders, was that the Blackpool resolution was distinctly of two parts. The first part reaffirmed the right of the Indian people to self-government and self-determination, but it was policy which Labour in opposition could not impose on the Baldwin Government. The first part of the resolution can therefore become operative only when Labour is in power.

The second part of the Blackpool resolution related to the Statutory Commission, and it was pointed out that it did not in any way pledge the Party to demand the appointment of Indians on the Commission. The second part of the Blackpool resolution referred to ran: "The Conference declares that the Royal Commission to be appointed under the Government of India Act should be so constituted and its methods of doing its work so arranged that it will enjoy the confidence and co-operation of the Indian people." It was contended that this resolution would be completely satisfied if the fullest opportunities of consultation were offered to Indians and the co-operation of those sections of the people who had accepted the Reforms secured.

This interpretation came as a surprise to the Left wing leaders, who were laying emphasis on the first part of the Blackpool resolution. They believed that at the time when the second part of the Blackpool resolution was framed, the authors of its wording must have been in the confidence of the Cabinet, and must have known its decision to appoint a purely Parliamentary Commission, especially as it was freely admitted that the decision was taken and announcements were ready to issue as early as August.

What happened at the interview between Lord Birkenhead and the deputation may be briefly told. His Lordship was informed that the party was bidden to press for the fullest opportunities for co-operation being offered to the Indian Committee.

Lord Birkenhead expressed sympathy with the demand, and said that it was the intention of the Government to ensure the fullest co-operation between the Commission and the Committee, consistent with efficiency. Details of the interview are not available, but it was understood that the following demand was suggested by the Parliamentary Labour Party:—

That (1) the Committee of the Legislature should sit jointly with the Commission, (2) the Committee should be allowed to either take part in the examination of witnesses or suggest questions to the Chairman to be put to witnesses, and that it should have the right to suggest examination of further witnesses or call for other evidence to rebut any evidence tendered before the Commission, (4) the Committee should have the right of access to all papers and even confidential documents, (5) it should have the right to be consulted before the Commission makes recommendations, (6) it should have the right to join in the recommendations if the agreement with the Commission, or if in disagreement record minutes which shall be placed before Parliament, (7) and that when legislation based on the recommendations of the Commission is before the Parliamentary Select Committee, the Indian Committee be placed on an equal footing with the members of the Commission, and be allowed to collaborate with the Select Committee in such a manner as may be determined by the former.

The Deputation stated that this was the minimum which would satisfy the Labour Party in Parliament, and that failing assurances of these facilities to the Indian Committee, the Party may be compelled to withdraw its nominees on the Commission. Lord Birkenhead left matters in a vague state, but the Deputation pressed for a declaration on the floor of the Parliament. (See ante).

### The Parliamentary Labour Party's Decision.

On the 24th November the members of the Parliamentary Labour Party held a lively meeting to determine finally the attitude of the party on the Statutory Commission. The members were insistent that the minimum that would justify Labour participation in the Commission, was compliance by Lord Birkenhead with the demands of the Labour Deputation, securing to the Indian Committee equality of status and authority with the Commission.

It was explained that Lord Birkenhead had substantially conceded the demands made by Labour. The question was one of procedure in which the wishes of the members of the Commission and the views of the Government of India had to be given every consideration. In the circumstances, while Lord Birkenhead undertook to secure the Committee the privileges asked for it, he was unable to make categorical statements straightway. On this, the members demanded that a statement be issued embodying the conditions on which Labour members were being allowed to continue on the Commission. After discussion, the party leaders agreed to the issue of a statement.

A careful perusal of the statement showed that Lord Birkenhead had made important reservations. Originally, all that was intended about the Committee of the Central Legislature was that it should send up its views and proposals in writing, and lay them before the Commission for examination in such a manner as the Commission might decide. The committee was later on to continue in session to be available for any consultation that the Commission might deem necessary. A similar procedure was to be followed in the provinces. From this, it will be seen that the committee was intended to perform no functions, beyond those of tendering statement on behalf of the unofficial members of the legislatures and to be called or not called into consultation, at the option of the Commission. The following official statement was issued by the Party :—

"The Labour Party regrets that the Government, before making its original proposals in connection with the Indian Commission, did not secure the co-operation of representatives of Indian people. In the opinion of the Labour Party the Commission appointed to proceed to India should make it its primary duty from time to time to consult, on equal terms, with the Committee appointed by the Indian Legislature. The Parliamentary Labour Party is further of opinion that there should be joint meetings of the two Commissions for taking evidence (though not to the exclusion of either body taking other evidence by itself) and that, after all the evidence has been heard and enquiries have been made, further consultations between the two Commissions should be held and reports of both Commissions should in due course be presented to the Joint Committee of two Houses of Parliament. The Labour Party has every confidence that its representatives on the Commission will act in the spirit of this stipulation."

After further discussion the Labour Party decided not to withdraw the members of Labour Party on the Commission and they reached complete agreement with regard to the course to be adopted for the debate on the 25th. The members of the meeting showed every sign of satisfaction at the decision.

### Independent Labour Party's Resolution.

A meeting of the National Council of the Independent Labour Party was held on the 19th November when the main subject of discussion was the situation created by the exclusion of Indians from the Statutory Commission. Speeches were made strongly condemning the exclusion of Indians, and deploring the association of Labour representatives with the Commission. It was pointed out, that Labour was giving a legitimate cause to Indian



politicians to doubt the *bona fides* of their professions in regard to India. After an interesting exchange of views Mr. Fenner Brockway moved :—

"The Independent Labour Party strongly protests against the exclusion of Indians from the Statutory Commission appointed to report on the future Government of India. It reaffirms the right of India to self-determination, and urges that the Labour Party should ask the Labour members on the Commission to withdraw unless Indian representatives are placed on a footing of full equality with the British representatives, or such other arrangements are made as are considered satisfactory by representative Indian opinion."

## Boycott of the Statutory Commission.

### The Leaders' Manifesto.

On the 16th November Mr. M. A. Jinnah issued the following statement to the press :—

I consulted by wire a few prominent leaders in different parts of India with a view to adopt concerted action regarding the announcement of the Statutory Commission. The answers I received made it clear that owing to the provincial fixtures to which they were already committed in their respective provinces, and having regard to distance a meeting at Bombay or any other central place at an early date was not feasible, although they emphasised the necessity of joint concerted action. As the question will soon be taken up by both the Houses of Parliament in England, I thought it was most essential that authoritative opinion of an all-India character should be expressed in time to reach London before the final decisions are taken by His Majesty's Government. I therefore circulated a draft manifesto, with a covering letter, requesting the various prominent leaders to authorise me on or before the 15th instant to include their names as signatories to the manifesto to be issued, if approved of by them.

I am glad to say that I have received so far, the most powerful and influential support from all parts of India, from the foremost leaders of the Indian National Congress, the All-India Muslim League, the All-India Liberal Federation, the Federation of Indian Chambers and the Mill-owners' Association. I have not included the names of leaders of the Hindu Mahasabha as I received a wire from Lala Lajpat Rai dated Lahore, 15th, as follows : "Have wired to Mr. Jayakar, Awaiting his reply" and subsequently a telegram from Mr. Jayakar dated Poona, 16th, which reads : "My party supports boycott, but prefers to issue its own statement. Copy posted to your address." I have not yet received a reply from Pandit Madan Mohan Malaviya and Dr. Moonje.

I have not included the names of the President and President-elect of the Indian National Congress amongst the signatories to the manifesto, for reasons stated in their messages which speak for themselves and which are as follows :—

From Mr. Srinivasa Iyengar and Mr. Rangaswami Iyengar, dated Madras, 14th Nov.

"Your manifesto omits self-determination and also, Assembly and Congress demand ; concedes the need for an inquiry and proceeds solely on the need for a mixed Commission. Moreover, abstention is made qualified and conditional. The Congress Working Committee's resolutions and the Bengal and Madras manifestoes have adopted unconditional boycott. Regret cannot sign your present draft, Pray reconsider. Let us all stand firm together for simple abstention, each party keeping its reason to itself or stating all the reasons together."

From Dr. M. A. Ansari, Karnal, 15th November : "Agree with the draft joint statement, except the last sentence which should read 'unless a round table conference, in which British and Indian statesmen' would participate as plenipotentiaries, is invited or at least a Commission with a majority of Indians sitting on equal terms is set up, we cannot conscientiously take any part or share in the work of the Commission as at present constituted."

The other leaders of the Congress, who were consulted, adopted the same line. The manifesto and the names of the signatories are as below :—

"We have given the most anxious consideration to the announcement made in the Houses of Parliament and the statement of His Excellency the Viceroy and the appeal of the Premier regarding the constitution and programme of the Statutory Commission. We have come to the deliberate conclusion that the exclusion of Indians from the Commission is fundamentally wrong, and that the proposals about Committees of Legislatures being allowed to submit their views to the Commission, and later to confer with the Joint Parliamentary Committee, are wholly inadequate to meet the requirements of the case. The

underlying principle of the scheme, that Indians are to have no authoritative voice either in the collection of proper materials and evidence or in the taking of decisions by way of recommendations of the Commission to Parliament, is of such a character that India cannot with any self-respect, acquiesce in it. Unless a Commission on which the British and Indian statesmen are invited to sit on equal terms is set up we cannot conscientiously take any part or share in the work of the Commission as at present constituted."

Sir Dinshaw Petit, Sir Ali Imam, Sir Chimanlal Setalvali, Sir Abdul Rahim, Sir P. S. Sivaswami Iyer, Sir Tej Bahadur Sapru, the Hon'ble Sir Phiroze Sethna, Sir Parashotandas Thakurdas; Munchi Ishwar Saran, Yakub Hassan, Dewan Bahadur T. Rangachariar, Dr. Annie Besant, K. C. Neogy, Bepin Chandra Pal; Lalji Narainji, R. K. Shanmugham Chetti; M. A. Jinnah, Sir Manmohandas Ramji, Mr. H. Mody, Mrs. Sarojini Naidu, Raja Gurnafar Ali Khan, Dr. Kitchlew, Mr. C. Y. Chintamani, Mahomed Yakub, Sachidananda Sinha and Nawab Ismail Khan.

### The Congress Manifesto.

Mr. S. Srinivasa Iyengar, President of the Indian National Congress issued the following statement to the press:—

The time has clearly come for the Indian people as a whole and all the communities and political parties, whatever their differences in the past, to give up once for all the policy of drift and self-deception. The arrangements relating to the Statutory Commission which have been announced by the British Government cannot constitute a blunder on their part unless we immediately unite in a firm policy of boycott and resistance. We cannot listen to the siren voice of the Parliamentary Labour Party that Indian opinion should wait till the debates in Parliament, for we know that the policy announced by the British Government is their well considered policy which will certainly be put through. It is not a hasty pronouncement but it has been the result of several months' cogitation after sounding and organising all that opinion in England that counts as well as all the European opinion in India that counts. In the second place, it is a definite stand that the Government has taken up in defiance of the opinion of all parties in India and of the National Demand made in the Assembly twice by All-Indian parties and by the Indian National Congress. In the third place, the Parliamentary Labour Party' manifesto supports Government's proposals as a whole and ratifies that portion relating to Select Committees of central and provincial legislatures. It merely says that they will endeavour to secure a more direct and more co-operative voice to those Select Committees. The fundamental Indian objections to the Commission, whether from the Congress point of view or from the point of view of other political parties, are not respected by the Parliamentary Labour Party. We know what the Labour Party did when the Montagu Bill was in the House of Commons. They moved amendments and mostly withdrew them and got defeated on a few. We know what the Labour Party did when it was in power and supported a policy of the severest repression and inauguration of lawless laws in Bengal. We also know that this Labour Party, with the exception of the Independent Labour group, takes the same attitude towards India either as regards the grant of Self-Government or as regards other crucial matters as the Conservative Party or as the Liberal Party. It would be a tragedy if any section of Indian opinion placed any faith whatever in the Labour Party or in any other British political party except in that small group of members who are in the Independent Labour Party and who have shown, by their frequent pronouncements and actions, that they are wholly with us. That group, however, unfortunately is a small group and has as yet little influence and controls neither the

great majority of the Labour Party nor influences any other political party in England. After all this disillusionment it would be the height of folly if we continue to have any faith in British opinion or in British political parties. More than ever the great creed of Mahatma Gandhi which the Congress has adopted, namely the creed of self-reliance, must be the only creed of all sections of opinion in India. I would most respectfully and earnestly appeal to all leaders and other friends not to reserve or postpone their opinions and decisions or wait to take action till the Commission actually comes to India. It is a question of life and death for us and it is of the utmost urgency. Education of opinion is an immediate and paramount necessity. And leading men of all parties are called upon by the terrible gravity of the situation to make up their minds at once and to give a lead to the country.

I rejoice greatly at the wonderful unanimity of opinion that this announcement has evoked in India and our leaders have fully realised their responsibility and acted upon the principle that the task of leadership is to mobilise opinion and not to wait upon the future. Immediate action of an unqualified character is indicated as the only fitting reply to the insolent and deliberate challenge which the British Government has hurled in the face of the Indian people and of all patriotic workers. The Government knew that boycott was in the air and they knew the consequences of their pronouncement. It was a challenge, therefore, on their part to the manhood and womanhood of India to boycott the Commission if they dared. They considered themselves to have been successful in defeating the Non-co-operation movement and I have no doubt they decided that they should be able to defeat any boycott movement and if for the second time they could show to the British Public and the world that they could make the Indian people acquiesce in this Commission and make any boycott of it ineffective the grant of full dominion status or responsible government to India might be indefinitely postponed.

The statement of the Government that if we have a strong case we could persuade the Commission and the Joint Select Committee of both the Houses is severe tax upon our credulity. The case for self-government of any country is strong and of India in particular is the strongest. But we have no faith in any commissions of this description. What is the evidence that is necessary and what is the judgment that can be pronounced? The demand in the Legislative Assembly twice made for the grant of full responsible government and for a round table conference or convention to settle amicably between the two peoples the terms of the new constitution for India is there. The demand of the Congress is there. The demand of all political parties and of the country as a whole for Swaraj is there. As the British Government requires us to demonstrate our fitness for Swaraj the evidence of a conclusive character that we can now furnish consists in the completest and most unqualified and effective boycott of this Commission in all its part and aspects. This evidence of our fitness will impress the Commission, the British Government and British opinion and political parties far more than intellectual displays or knowledge of administrative details or skill in devising contradictory proposals. Select Committees will be very useful to the British Government in denying or diminishing Indian claim for Swaraj. The Select Committee of the Central Legislature is to be a Joint Select Committee of the Council of State and the Legislative Assembly. The official members and the nomi-

nated members and the European block will take part in the elections and we may well presume that the single transferable vote will be the method adopted. "The Manchester Guardian," rightly says that if the Select Committees submit dissentient reports that fact may be used to damage the Indians' claim for Swaraj. Every one who reflects upon the proposals of the Select Committees either of the central legislature or of the provinces must hold it to be a skilful plan for eliciting discordant views.

The reasons for the boycott are of the most cogent description. Indian people, as the Congress has rightly claimed, are entitled to determine their own constitution either by a Round Table Conference or by a convention parliament. That claim has been definitely negated by the appointment of this Commission. That is the most important reason not only from the Congress point of view but from the point of view, I am certain, of all the Indian political parties which concurred in the two resolutions of the Legislative Assembly of 18th February 1924 and 8th September 1925. That of course is the fundamental objection. The second reason is that we cannot be parties to an enquiry into our fitness for Swaraj or for any measure of responsible Government. Our claim for Swaraj is there and it is only a question of negotiations and settlement between the British Government and the Indian people. The third reason is undoubtedly the affront to Indian self-respect involved in the deliberate exclusion of Indians from the Commission. While the Congress point of view is undoubtedly that any Commission whether mixed or all-British, is open to the two fundamental objections already stated neither Congressmen nor others can ignore the insult offered to Indians generally when they are roundly told that they cannot be regarded as unbiased and competent to present an accurate picture of facts to the Parliament. A majority of really representative and unofficial Indians on the Commission would still be open to the fundamental objections from the Congress point of view but would be free from insulting implications. Nor do I understand how select committees consisting of Indians will become straightway unbiased and competent to make their judgment "an integral factor in the examination of the question and be given due weight." The fourth reason for the boycott is that the present time is considered by the British Government as most suitable. From their point of view it would help them to revise the constitution so as to make it even more convenient than the existing Act. When a Commission was wanted the British Government would not give it, but they would impose upon the Indian people a Commission which is not wanted and when it is not wanted, Lord Birkenhead now introduces a bill to amend Section 84-A of the Government of India Act so as to appoint the Commission before the expiry of the ten years. Could he not introduce a bill either to repeal that section altogether or to amend it so as to provide for a Round Table Conference or a constituent Assembly. The Government of India Act has been modified during the interval, on matters such as the Lee Commission proposals and the enabling of Viceroy and members of Government to take leave and go out of India temporarily. This very Section 14-A dealing with this Statutory Commission is now sought to be modified on this important matter, the question of date. We are also told in the statement issued by His Excellency the Viceroy that the statute never professed to incorporate "irrevocable decisions." Why then should not Section 84-A be replaced or suitably modified so as to accede to the demands of the

the political development of India, because the period came just before the enquiry by the Statutory Commission, and he deplored the divisions in the Nationalist forces. Continuing, he said that the policy of obstruction was not an end in itself. No politician would hesitate to resort to obstruction if circumstances demanded it, but what he objected to was the determination of the policy of obstruction beforehand. His opinion was that the representatives in the Legislatures should be given full freedom to decide for themselves what course of action was best suited as occasion demanded and if they erred there were always the electorate and public opinion to correct them. He applied to all Congressmen attending the Gauhati Session to seize the opportunities for united action.

The experience of the last six years in the Legislatures in which they had to often change their programme and policy of action was sufficient to show the lack of wisdom in laying down any hard and fast rules by the Congress for adoption by the popular representatives in the Legislatures. It was somewhat disappointing for him to read Pandit Motilal's statement in which he spoke of the maxima and minima of their demand. If Mr. Gandhi was going to be a "silent spectator" as he threatened to be, and if Pandit Motilal Nehru was going to take an unflinching attitude then the prospects of union, for which efforts were being made by Mrs. Naidu and others, appeared to be gloomy.

#### Mr. J. M. Sen Gupta's Threat.

In an interview to a Press representative Mr. J. M. Sen Gupta, leader of the Congress Party in the Bengal Council, said that it was his opinion that having regard to the strength of his own party and the return of a number of members who did not belong to his party but were opposed to the revival of Dyarchy it would be most difficult in Bengal to form a ministry when the Council met. Asked whether there was any likelihood of a change of policy at Gauhati, Mr. Sen Gupta said: "We are bound by the pledge on which we sought election and until the Congress at Gauhati alters in any respect the resolution adopted at Cawnpore last year will bind us and will be strictly followed by us in Bengal. Personally, to me, it seems impossible to even entertain the proposal of the acceptance of ministry and the consequent revival of Dyarchy in Bengal, having regard to the continued detention for over two years without trial a large number of public men. Moreover, there has been no response of any kind on the part of the Government in the direction of a change of the constitution. Not only has there been no indication of any relaxation of policy pursued by the Government with reference to the two matters mentioned, but on the contrary we have the European Association through its president expressing their views which clearly make it impossible for any honourable Indian to think of any change of policy.

The people of India do not differentiate, and in my opinion quite rightly, between official and non-official Europeans in India. Lord Lytton pleaded, only the other night, for mutual trust between the people of India and England. The answer, flat No, has now been given by the President of the European Association in the presence and without any protest of Their Excellencies the Governor of Bengal and the Viceroy of India. The European Association desires a free fight to the finish. Is it any wonder that the Indian regards all this talk of co-operation as a huge farce? I would have taken no notice of Mr. Langford James's speech or the sentiment underlying it, but for the fact that he spoke as the President of the European Association in Bengal. I feel, it is my duty as a member of the Indian National Congress, as leader of the Swaraj Party in Bengal and also as the Mayor of the City of Calcutta to sound a note of warning.

I say with all the emphasis that I can command and with a full sense of responsibility that if Mr. Langford James or his compatriots continue making speeches of the style of which we had a specimen last Tuesday night, it would not be long before the challenge of the European community was taken up by the people of India. The elementary fact which should not be overlooked by the Europeans in India is that they total at the outside two and a half or three lakhs. Half a million men, sufficiently desperate, would be more than enough to give them such trouble as to make them realise their singularly precarious

position in this country. The Congress is pledged to non-violence and its members are sincerely anxious that the struggle for Swaraj should be carried on, on non-violent lines. It pains me to think that our efforts should be frustrated by gentlemen of the ilk of Mr. Langford James. Once more, I warn Mr. Langford James and his friends against such outbursts as we have witnessed lately. The mills of Providence grind slowly, but they grind exceedingly small. The events in China ought to be an eye-opener to the more sanguinary section of the European Community.

## The European Association and the Y. M. C. A.

The adoption of a new constitution for the Council of the Association and a heated debate on the resolution on Y M C A and politics were the features of the annual meeting of the European Association in Calcutta on the 19th February 1927.

Mr. C. B. Chartres, incoming-President, in moving thanks of the Association to the branches for their work during the past year eulogised the record amount of work done by the branches and said that the one special feature has been that all branches held successful dinners at which Governors of their respective provinces were guests and took the opportunity of making public utterances.

Sir Hubert Carr then moved the adoption of alterations in rules and branch regulations and said that the proposed alterations were aimed at giving the council an all-India character. Election to the council must not be by a small meeting but by referendum. It was hoped by securing members of the Council from different provinces to secure the very best experience that the community could offer. Members of the Council being in different provinces could not be any handicap as most of the important business transacted by the Council was done by circulation and that there was plenty of time for consulting all member of the council. The meeting then adopted the new constitution.

### Y. M. C. A. And Politics

Mr. Hobbs then moved his resolution :—" That the European Association in India view with gravest disapproval the increasingly active part taken in politics in India by the secretaries employed by Y M C A and urge English National Council immediately to take steps to recall British Secretaries who persist in taking active part in political work and in future to ensure that any men sent from England shall be pledged to religious, physical, educational and recreational work, also that they shall be pledged not to engage in political work of any kind nor permit political propaganda to be carried on in their halls or to assist those who tour India with political missions." The resolution, after a heated debate in which speeches were made both for and against the motion was adopted after omitting the words "increasingly active" in the first sentence of the motion. Mr. Hobbs said :—

" To-night it is my object to rouse sufficient interest to see what can be done to check paid servants of the Y M C A from selling their time to promoters of anti-British political movements, to let the public know that to-day the Y M C A in India is as far from religion as modern science has left Moses. In 1917 or 1918 the European control of the Y M C A in India came to an end. Dr. Dutta and Mr. K. T. Paul assumed charge and incidents in regard to literature distributed among British troops in Mesopotamia came to my ears. With many friends in the Army I soon heard what was going on in the United States where I spent some time in 1919. I found they spoke badly of the Y M C A and being slightly interested I collected notes. In 1920, the Indian press commented on 13 resolutions passed by the Convention dealing with the Y M C A, one of which was certainly the declaration of an intention to take up politics. Then

its organ, "The Young Men of India" attracted notice. Articles violently anti-British and some in eulogistic terms about Russian revolutionaries began to appear. Criticism forced the editor and others to point out that 'writers contributed articles were alone responsible for opinions they expressed unless it is otherwise stated.' The result of deviation from religion to politics was soon noticeable. In Calcutta in 1921, when the Prince of Wales came to India, the Branch in the College Street was reported by the Police to be the nest of stone-throwers. Then at the Rotary Club, the Y M C A and at other meeting places in Calcutta disturbers appeared evidently trained in one school who spoke in such a way that when they left off, it was easy to see their mission was to create uneasiness, arouse suspicion and gradually work up the finale of bitter hatred of everything English."

After referring to the visit to Calcutta of one Dr. Sherwood Eddy, Professor K. L. Saunders and Prof. H. E. Ward who, he said, made anti-British propagandist speeches, Mr. Hobbs asked: "Why did Eddy and Saunders conceal the fact that they were on the staff of the Y M C A?" My next question would be "Was Ward one of their men also?"

Proceeding, Mr. Hobbs said: "On page 13 of the Y M C A Calcutta Branch Report for 1925, I read that educational work maintained its standard, for among those who lectured to the boys was Mahatma Gandhi. They evidently had not the nerve to try him on the older members, but on boys. No doubt these youngsters had an opportunity such as nauseated some of us at the European Association and the Rotary Club when the Chairman and others fawned over and smirked the man who told the millions to insult that messenger of peace and goodwill, the Prince of Wales, and whose political career has been marked by unspeakable horrors and milestones of murdered people.

"Perhaps from that you will begin to understand that the Y M C A has nothing at all to do with politics. As Mr. D. F. Maclelland, Secretary of the Burma Y M C A, recently informed his members that the country possessed a real leader and servant in Mr. Gandhi and realers were able to gather that in Mr. Maclelland they had a man who talked disloyal tosh. Even Mr. F. E. James in his Chapter on the life of Mahatma Gandhi, where he says that weak-minded illusionist and legal mediocrity is second Jesus Christ, would probably deny that he indulged in politics although on the 9th February 1926, when Mr. J. A. Spender was lecturing to the Rotary Club, Mr. F. E. James in the passage-at-arms proudly asserted that Turks had asked the Y M C A to run Turkey. Of course, the Y M C A could not have been meddling with international politics for that proposal to be made or a fable to be invented. All one can say is, "God save Turkey." I believe there are men on the staff of the Y M C A, who agree with me, who resent deviation into the dangerous paths and corruption of Indian politics and who in secret welcome my attack on a decadent institution. The fact that they have not come out into the light of day speaks for itself. All are not political agitators. Many among them live up to the principles of the founder of the Association. The Red Triangle stands for soul, mind and body. The colour of the triangle is not the tint of their political creed."

Opposing Mr. Hobbs' motion, Mr. F. E. Wilmill denied that their work had anything whatever to do with the Y M C A. As regards Mr. F. E. James he was too well known to them for the speaker to defend him. Mr. James had done valuable work on the Council of the Association as also as a member of the Legislative Council. Mr. Wilmill asserted that there was no ground whatever for the association to act on the lines indicated in the resolution.

Sir Hubert Carr, an ex-President, suggested that now that they had drawn the attention to the state of affairs they should drop the motion. Eventually the motion was put to vote and declared carried amidst cheers.

#### General Secretary's Spirited Reply.

Dr. S. K. Datta, the General Secretary of the National Council of the Young Men's Christian Association, India, Burma and Ceylon, addressed to the General Secretary of the European Association, Central Administration,

Calcutta, a reply to the resolution passed at the annual general meeting of the European Association held on the 18th February. In the course of the letter Dr. Datta states:—

"I note that you have failed to forward the evidence on which this resolution was based, but.....I take it that the materials on which the resolution was passed are to be found in the reports of the two speeches which were delivered on that occasion"

#### "A Baseless Charge"

The letter refers to Mr. Hobbs having moved the resolution in a speech lasting forty minutes and goes on:—

Mr. Hobbs opened his attack by stating that in the recent history of the Y M C A "there had been a dangerous and mischievous perversion of a movement". He further added that in England it had become closely associated with the Labour Party and that it was a tragedy "that so admirable a movement should take the broad road which leads to anarchy." Such a charge is, I believe, absolutely baseless, and can easily be refuted by anyone who will consult the list of members of the English National Council of Y M C A's. He spoke of the Y M C A being essentially "British in principle". I regret I am unable to follow the speaker in this, for while it was true that the founder of the Y M C A was British, its principles have been Christian, and Christianity is greater than nationalism. The speaker then stated that the Y M C A (apparently in England) had been severely handled by an English journal for ventures in trade. I may point out that the English National Council appointed a Committee of Enquiry consisting of Lord Askwith, Sir R. V. Vassar-Smith and Mr. F. Gore-Browne, K. C. The conclusions of this Committee stated that "there is no ground for the suggestion that the Y M C A has been guilty of unfair or unjustified competition"

#### European Control

The next charge affirms that in 1917-18, European control of the Y M C A came to an end: . . . The control of the Indian Federation of Y M C A's is vested in a National Council consisting of 30 members. Turning to the list I find that 15 of these are British, two Anglo Indians, one American and 13 Indians. I would also take the opportunity to refer to the fact that the Presidents of almost every important local Association in India, Burma and Ceylon are Englishmen, and I pay a tribute to their devotion and to the serious interest they take in their work. Not one of them has even raised the objection that the movement is becoming more Indian. Indeed they rejoice in the fact that this is the case.

#### "Unpleasant Literature"

Another reckless statement made by Mr. Hobbs (and apparently accepted by your Association) was the one which suggested "unpleasant literature" was distributed by the Y M C A to the troops in Mesopotamia. I presume that this is supposed to have occurred during the War as our connection with Mesopotamia ceased almost immediately after. Again we are prepared emphatically to deny this charge and I would point out that the head of our work in Mesopotamia, the Rev. L. A. Dixon, was mentioned in Sir Percy Lake's despatch and also in General Marshall's final despatch on Mesopotamian operations.

Among those who publicly recorded their appreciation of the work done by the Y M C A in War areas were the Secretary of State for India and General Bingley. Again we have two letters, written to Mr. Paul by Sir Charles Munro, then Commander-in-Chief in India. In one of these letters he says, "I desire to convey to the Indian National Council of the Y M C A and its personnel my grateful appreciation, as well as that of the Army in India, of the magnificent service rendered by them, for the comfort and welfare of the British and Indian Army."

#### Alleged Change of Policy

The next series of charges refers to the alleged change of policy in the activities of the Y M C A Convention in 1920.....Now this resolution as it stands



was drafted by a Committee, a prominent member of which was Mr. W. R. Gourlay, Private Secretary to the Governor. He realised that if India was to be prepared for self-government, as determined upon by Parliament, it was necessary for us to give young men this help for them to become good citizens.

.....We have resolutely refused to become the agents of any kind of political propaganda; but we are convinced that the discussion and study of matters of public importance is a necessary outlet for young men in order that they may form opinions that are not one-sided.....

We repudiate any suggestion that we have ever permitted our Associations to be used for purposes of political propaganda or by political parties. In 1923 we felt that our resolution might be misunderstood, and so we presented to the Convention a resolution, which is possibly clearer in its wording and was not open to misconception.

#### "Young Men of India"

Reference was made by Mr. Hobbs to the Journal of the National Council of Y.M.C.A.'s called the "Young Men of India"; and we are informed that "articles violently anti-British, some in eulogistic terms of Russian revolutionaries, began to appear.".....On the whole it was held that these (four) articles might have the effect of causing mistrust and bad feeling; and the Executive took certain practical steps including the appointment of a committee, to scrutinise articles contributed to the "Young Men of India," in case they were controversial in tone. Since then no complaint has come to us regarding our magazine. I may add further that the statement regarding the publication in the "Young Men of India" of articles eulogising "Russian revolutionaries" has no foundation whatsoever.

#### Alleged Stone-Throwing

During this period of stress (1921-22) Mr. Hobbs tells us that the College Street Branch in Calcutta was reported by the Police to be a "nest of stone-throwers." This is the first time that I have heard the charge mentioned, and I naturally investigated the matter. I have before me a statement made by Mr. C. S. Paterson, who has lived in the building for many years and still a resident there. He says that during the Prince of Wales's visit to Calcutta the building was decorated with flags, and was the only one so decorated in the immediate vicinity. As far as Mr. Paterson knows, no stones were ever thrown from the building. As a matter of fact the Police were given the courtesies of the building and made free use of our telephone for their business. I may add that the Prince of Wales never passed by 86 College Street during any time of his visit.

#### Speeches at the Rotary Club

I pass now to the statements made regarding the speeches of Dr. Eddy and Dr. Saunders at the Calcutta Rotary Club, an institution with which I may say the Y.M.C.A. is not even remotely connected. Dr. Eddy was a member for nearly twenty years of the staff of the Indian Y.M.C.A. He left India in 1911. He is most certainly not a revolutionary he has been represented to be, but in any case he is not on the Y.M.C.A. strength in India.

Next comes the case of Prof. K. J. Saunders. If Mr. Hobbs will only turn up the proceedings of the Rotary Club, he will see that the statement made by him that Dr. Saunders had described himself as a Canadian educated in California, was a mis-statement.

As a matter of fact, Dr. Saunders was educated at Clifton and Emmanuel College, Cambridge. He holds the degree of "Doctor of Literature" conferred on him by his University. At present he is Professor in the "Pacific School of Religions," Berkeley, California. Dr. Saunders came to India under the Church Missionary Society on the staff of Trinity College, Kandy. Before the War he was appointed to the staff of the Indian National Council as the Literary Secretary. He was sent by the Y.M.C.A. to France with the first contingent to the Indian Army in 1914.

The reason he resigned his position in 1921 was the fact that two of his brothers, one an officer in the British Army and the other an officer in the Navy, had emerged from the War with their constitutions shattered. Dr. Saunders

wrote to me definitely saying that he felt it was necessary for him to obtain a more lucrative appointment in order to help these two brothers. Was it decent of Mr. Hobbs to refer to Mr. Saunders as a "funk hole Christian of the Y M C A"?.....

### "A Barefaced Lie"

Rev. E. C. Dewick, a member of our staff, also an Englishman, was also bitterly assailed by Mr. Hobbs.....

There is one statement to which I feel a special rejoinder is necessary. Apparently the European Association accepted as proved Mr. Hobbs's statement that the Y M C A Boy Scouts are prevented from singing "God Save the King." The Y M C A is connected with the Boy Scout Movement in the following provinces:—The Punjab, the C. P., Madras Presidency and Burma. We have made enquiries at the official head-quarters of the Boy Scouts Organisations. The replies indignantly repudiate Mr. Hobbs's statement, the Provincial Secretary of the Boy Scouts Association, telegraphing from Nagpur that it was a "barefaced lie" so far as Central Provinces are concerned.

Both Mr. Hobbs and his second Mr. J. N. Becker spoke of Bolshevik influence in the Y M C A in China. Unfortunately we are not in a position to make a statement regarding China as the Y M C A of India has no organic connection with the Y M C A of China.....

On the other hand, we have in our records statements made by a prominent Russian revolutionary, and by the anti-Christian Society in China, regarding the Y M C A. The leader of the Russian "Pioneers." (The Russian Youth Movement) says definitely: "The Boy Scouts and the Y M C A develop loyalties to God, country and the King. That is why we consider them our enemies." Indeed, before the World Conference of the Y M C A's recently held at Helsinki, a determined and virulent campaign was carried on by the anti-religious organs of the Russian Press, and within the last few months the Y M C A movement, which was seeking to relieve the needs of students in Russian Universities, was expelled by the Bolshevik Government. In China a similar situation has arisen.

The resolution, as it stands, is a direct censure on one of our British Secretaries, Mr. F. E. James. Let there be no quibbling about this. If Mr. James has been a member of the Legislative Council, it was at the invitation of the leaders of the European community in Calcutta. To say the least, it was ungracious of the European Association to pass this vote of censure, which involved Mr. James.

### Annual Meeting of the Calcutta Y. M. C. A.

An important pronouncement on the question raised by the European Association regarding the alleged political activities by the Y M C A was made by the Bishop of Calcutta speaking at the annual meeting of the Calcutta Y M C A. on the 9th March 1927. He said he did not want to say anything about the particular charges which had been brought against the Y M C A for the sufficient reason that he did not think things could stay where they were at present. Specific charges had been made by a responsible body against another highly responsible body, and either on one side the evidence must be adduced which would substantiate the charges or else the charges should be withdrawn. He felt that the European Association was every whit as much upon its trial as the Y M C A. Its reputation was at stake no less than that of the Y M C A, because a highly responsible body, representative of much of the business ability, intellect and influence of the European population, not only in Calcutta, but all over India, had sent up a resolution which embodied certain principles, and that resolution was formulated because of certain charges made against the Y M C A. The European Association must substantiate those charges or else it would lose its reputation in the eyes of fair-thinking and right minded men and women.

Proceeding, the Bishop said he would not say anything about the specific charges, because they ought to be investigated, and one ought not to speak on things under investigation and upon which judgment had not yet been passed. In the first place, it had been held that no secretary of the Y M C A should take

an active part in politics. If it were in England he would agree, because there, to take part in the counsels of the nation, a man was required to devote practically the whole of his time to the work, and he was also a paid servant of the Crown. In India the position was entirely different. Here, the Legislative Councils met for short periods two or three times a year. In India, too, there was communal representation. They had, for instance, the representation of the European community. There were no Europeans of leisure in India and, therefore, they had to obtain somebody who was employed by others to represent them in the Bengal Council and in the Legislative Assembly.

The Indian Christian community needed representation at Simla. Were they going to say that they would not employ any man who was employed by others? Surely they could not say that in the case of the Indian Christian community. It was perhaps possible to obtain a more 'leisured' man, but they wanted the best man in such an influential and representative body as the Assembly, and if he happened to be a Y M C A Secretary, it should not be impossible for him to give so much of his time as attendance in Assembly demanded. He had hoped that this year they would have seen Dr. Dutta again representing the Indian-Christian community in the Assembly. Dr. Dutta was a man of ability and independent judgment, and after all, if a man was to represent a community, he should be able to think and speak what was in his mind, and not necessarily merely endorse whatever those in authority might say.

In the next place they were told that the concerns of the Association should be religion, education and recreation. He had always been brought up to believe that religion covered all life and meant a particular attitude towards life in its several departments. In the same way he was led to believe that education was not limited to any particular subject, but covered the whole range of subjects that men had to deal with. So, though he believed and wholly endorsed the opinion that the Association had to deal with religion, education and recreation he certainly did not hold that this should rule out any department of life in which men needed education and the Christian point of view. The Y M C A was out to help young men to take a Christian point of view on every subject.

### Annual Meeting of the Bombay Y. M. C. A.

A spirited refutation of the European Association's charges against the Y M C A was made in the speeches delivered at the annual meeting of the Bombay branch of the Y M C A on the 31st March 1927. Mr. H. W. Nelson, who presided, entirely endorsed the able statement made by Dr. Dutta. He added the Association had nothing to fear from criticism. He must say it came as a surprise to him that such a bitter attack should be made apparently without foundation by a political body on a Christian organisation. The position, he declared, could not be left as it was and unless the resolution passed by the European Association was withdrawn a full enquiry into the charges should be made and he was confident a full refutation would ensure, thereby leaving the Y M C A in a stronger position to carry on the work which it had so ably done for so many years.

#### The Governor's Speech.

H. E. the Governor of Bombay, Sir Leslie Wilson, Patron of the Association made a vigorous defence of the Y M C A. He entirely agreed with the Chairman that the position could not be left as it was. "It would be fatal if on the one hand the impression is strengthened that the European Association of Calcutta is needlessly prosecuting an organisation which does so much work in India or on the other hand that the Y M C A is an institution in active sympathy with the enemies of the State. Now I can only speak so far as India is concerned with a knowledge of Bombay and I say without any hesitation whatever that I know of no instance here where the Y M C A has taken any part in politics. It is undoubtedly true that members do discuss politics and it is only right they should." His Excellency quoted the resolution passed by the Y M C A convention in 1920 that the Association should ally itself in no sense with party politics and proceeded, "Let us remember first of all that it would be as impossible as it would

in my opinion be undesirable for members of the Y M C A to refrain from taking an intelligent interest in political questions of the day, more particularly so for as they affect the country in which they live, although it is really equally important that they should take a lively interest in these days in international politics as well. To say that they should not do so would be exactly the same as suggesting that the unions at Oxford and Cambridge and other universities should be suppressed and as is well-known there is always very free discussion on political matters in these unions. Such discussions among the members of the Y M C A are to my mind most useful and any attempt to suppress them would not only be useless, but would do much harm. It appears also that it is thought by some that the Association was becoming too much indianised. Again I can only speak with knowledge of Bombay, but I should regret very much if it were not a fact that Indians took a keen interest in the work of the Association, and held positions of trust and responsibility in it. The Y M C A is a Christian movement and even as there is at the moment a Bill before the Imperial Parliament known as the Indian Church measure which has for its object giving to India and those who reside in India a greater control of Church matters in India, so we ought to be glad if in a movement such as the Y M C A there are many Indians coming forward, proud and willing to help in the many activities of the Association." Proceeding, His Excellency deprecated "these discussions and differences of opinion with regard to a movement which is a Christian movement and which has for its sole object the prosperity of the younger generation of all nationalities." He then paid a warm tribute to the Association's work in war, in many theatres of operations whether in peace or in war. He said: "I know of no other institution which has so unselfishly and so whole-heartedly worked for the benefit of young men of whatever nation they may be. No one can deny these facts and while it is true that memories are short and that war memories are getting distant I frankly confess I find it difficult myself to believe that a movement such as yours, based as it is on the experience of years of trial and anxiety, with a record of proved utility to hundreds of thousands of young men, can think of taking an active part in politics, more particularly as that part, which it is suggested it may play, is one which might prove detrimental to the best interests of the Empire. Personally, so far as Bombay branch of the Y M C A is concerned, I can only ask you to go on as you are doing, helping by your religious work, by your physical education, by your enthusiasm in promoting sport, by your educational and social activities and give to young men of Bombay and the Presidency that help which I believe you and you above all others can give.

### Annual Meeting of the Karachi Y. M. C. A.

The twenty-second annual general meeting of the Karachi Young Men's Christian Association was held on the 30th May 1927. Mr. W. F. Hudson, Commissioner in Sind, presiding. The President of the Association, Mr. F. Clayton, in the course of a lengthy address said:—"A question on which I desire to make some comment is the vexed one of the Y M C A and politics. In this there appear to be two issues, firstly, the development of a political atmosphere within the Association and, secondly, the advisability of its salaried leaders entering the Assembly, or the councils. My main reason for dealing with the question is that my position as the President of the Karachi Association may be made quite clear to our citizens, without whose generous support given ungrudgingly in either money, time or work, this branch could not continue to exist. When soliciting assistance, we have met with searching enquiries on this question; but fortunately have been able to reply with complete satisfaction. It was during my absence from Karachi in the latter part of 1923 that the tendency to develop a political atmosphere within the Y M C A in India first attracted my attention. After my return to Karachi the question continued to give me deep concern until early in 1924. I felt it my duty to discuss the subject with the Board of Directors. The carefully considered decision of those discussions was that there should not be any politics whatever within this Association. Wherever a religious, charitable or social

organisation has become dominated by politics, disaster has followed. Karachi saw the trend of events. Some other associations realised the danger ahead as also did a number of individuals interested in upholding the real functions of Y M C A work, amongst whom was H. E. the Commander-in-Chief of the Army in this country.

In this connection I would draw your attention to a resolution which H. E. the Commander-in-Chief of the Army in India submitted to the National Convention of Secretaries of the Y M C A in India which read :—

"The Convention agree that the Association should ally itself in no sense with party politics and discussion on political questions or on questions which are likely to assume a political aspect should be rigidly excluded. It believes that the Association should exert its influence in every Christian way possible towards the complete application of the teaching of Jesus Christ to commercial, industrial and social questions and should stand for justice and fair play in both public and private life."

At this stage may I mention that in March this year a conference of the General Secretary of the Chief branches in India and Ceylon was held in Calcutta but while Karachi distinctly comes within the category of a chief branch our General Secretary was not invited to be present. The views of this Association are well-known in the Indian National Council and I can only assume it was desired to eliminate opposition. If our General Secretary had gone to express the opinion of this Association the views put forward would undoubtedly have been different from those approved.

I must, however, pass on to the other issue, that of the advisability of salaried officials of the Association in India entering the Legislative Assembly or the Legislative Councils. The persons to whom I refer either come to India or are selected in this country for filling positions in the Association because they are men trained to develop the ideals for which the Y M C A stands the world over. Instead of this part of their time and the money subscribed to pay for their services are being alienated to a political object. Perhaps I had better make quite clear what I mean by alienation of time and funds. The salaries of such men, whether paid by subscriptions raised in England, America or India are provided from money given to Association work and its objects and I should doubt if any one of such subscribers would be satisfied to know that a part of the time of some officials is or has been spent in work other than for the Association. To the extent that time is given to the legislatures, so far are the funds provided for Association work being alienated to other objectives. In proof that the diversion of Y M C A officials' attention to politics does affect their Association I may here mention that no senior official of the National Council has been able to find time during several years past to visit Karachi. Unless this political work is stopped friends of the Y M C A will undoubtedly withdraw their support and the work of the Association will suffer accordingly. I know of one definite instance not in Karachi, where a very valuable contribution was withheld for some time and the Association would have felt the loss seriously if the subscriber's general feelings had not guided the final decision. The English National Council has expressed its disapproval of any member of their staff entering the Legislature.

In conclusion I desire to make it clear (1) that not a pie of the money subscribed by our generous supporters in Karachi is used for any other than legitimate Association work (2) that there is no political atmosphere in our work here and the sustained success of our literary section is ample proof that without politics increasing audiences can be interested and (3) that no subscriber in Karachi has so far withheld support to us on account of this vexed question and none need do so, for we will not have any politics in this branch.

## The Indian Sandhurst Committee.

The Indian Sandhurst Committee, or otherwise as the Skeen Committee, was appointed in June, 1925. The official communique announcing its constitution was as follows:—

"In the Legislative Assembly on the 14th March last, in the course of the general discussion on the budget the Hon'ble Sir Alexander Muddiman gave an undertaking that the Government of India would consider the appointment of a Committee to examine the means of attracting the best qualified Indian youths to a military career and of giving them a suitable military education. With the concurrence of the Secretary of State, the Government of India have now definitely decided to appoint such a Committee. The Chairman will be Lieutenant-General Sir Andrew Skeen, K.C.B., K.C.I.E., C.M.G., Chief of the General Staff in India. The Government of India are not yet in a position to announce further details, but the Committee will include non-official members representing both the military classes of the population and Indian political opinion."

2. *Terms of Reference.*—The terms of reference to the Committee, as finally framed by the Government of India, are as follows:—

"To enquire and report:—(a) By what means it may be possible to improve upon the present supply of Indian candidates for the King's Commission both in regard to number and quality. (b) Whether it is desirable and practicable to establish a Military College in India to train Indians for the commissioned ranks of the Indian Army. (c) If the answer to (b) is in the affirmative, how soon should the scheme be initiated and what steps should be taken to carry it out. (d) Whether, if a Military College is established in India, it should supersede or be supplemented by Sandhurst and Woolwich so far as the training of Indians for the commissioned ranks of the Indian Army is concerned."

3. *Composition of the Committee.*—The Committee, as finally constituted, was composed as follows:—

**CHAIRMAN:**—Lieut.-General Sir Andrew Skeen.

**MEMBERS:**—Pandit Motilal Nehru; Mr. M. A. Jinnah; The Hon'ble Sardar Jogendra Singh; The Hon'ble Sir Phiroze Sethna, Diwan Bahadur Ramachandra Rao; Nawab Sir Sabibzada Abdul Qayum; Honorary Captain Hira Singh; Dr. Ziaud-din Ahmad; Captain J. N. Panerjee; Major Thakur Zorawar Singh; (representing the Indian States); Honorary Captain Haji Gul Mawaz Khan; Major Bala Sahib Daffe; Mr. E. Burden.

Pandit Motilal Nehru tendered his resignation as a member of the Committee on March 11th, 1926.

### Summary of Recommendations.

Far-reaching and fundamental changes were recommended by the Committee, their central feature being the abandonment of the 8-Unit Scheme and its replacement by a scheme proposing that half of the total cadre of King's Commissioned Officers in the Indian Army be Indians in 1952, the establishment of an Indian Sandhurst in 1933, and the opening of all wings of the Army to Indians. The Committee recognised the need

for the highest efficiency, for the maintenance of the proportion of British recruitment and the possibility that the scheme might require to be modified in the light of experience. The report is practically unanimous. The following are the main recommendations :—

(i) The scope of the employment of Indians in the higher ranks of the Army in India should be greatly extended, and facilities should be provided in India to train them for King's Commissioned rank. A substantial and progressive scheme of Indianisation should be adopted, and, subject to the present standard of efficiency being maintained, should be faithfully carried out.

Such a scheme should provide for the following measures :—

(a) In 1928, the number of vacancies, at present ten, allotted to Indians at Sandhurst should be doubled, and thereafter should be increased progressively until a military college on the lines of Sandhurst is established in India.

(b) Indians should be made eligible to be employed as King's Commissioned officers in the Artillery, Engineer, Signal, Tank and Air arms of the Army in India. For this purpose they should be admitted to the Royal Military Academy, Woolwich, and the Royal Air Force College, Cranwell, provided they qualify by the same tests as British boys, until the occasion arises to create corresponding facilities for their training in India. From 1928 eight vacancies should be allotted to Indians at Woolwich and two at Cranwell, and these numbers should be increased progressively, in due proportion.

(c) In 1933, i.e., as soon as the improvements recommended in matters of subsidiary importance, connected with the securing of suitable candidates for the Army, have had time to take effect, a military college, with an establishment at the start of 100 cadets doing a three years' course, should be created in India on the model of Sandhurst. The establishment of the college should be increased progressively.

Successful cadets from the college should be granted the King's Commission in His Majesty's Land Forces.

(d) In order to secure the maintenance of the Imperial connection in military matters, 20 vacancies should continue to be reserved for Indians at Sandhurst after the opening of the Indian military college.

Under the scheme proposed half the total cadre of officers in the Indian Army would be Indians in 1952.

(ii) Steps should be taken to maintain the proportion of British recruitment required.

(ii) Indian King's Commissioned officers trained at the Indian military college should complete their initial in England.

(iv) Within reason questions of finance should not be allowed to stand in the way of giving effect to these proposals.

(v) The Prince of Wales' Royal Indian Military College, Dehra Dun, should be gradually expanded up to the limit most suitable for an educational institution of this character. The control of the college should remain in the hands of the military authorities, and its main object should continue to be the production of boys for the Army and Navy. Its curriculum and standard of teaching should, however, be carefully adjusted with a view to securing also that the course of education at it confers a qualification recognised by the University authorities.

When the expansion of the existing college is complete, a second college on the same lines should, if circumstances demand it, be opened in some other part of India.

(vi) The Government of India should impress upon educational authorities the paramount national importance of reforming the system of education in India with a view to developing in the pupils of the ordinary schools and colleges those characteristics, so essential in an Army officer, to which little or no attention is at present paid by them, and should appeal to them to reorganise the institutions under their control to this end.

(vii) The upper age limit for entrance to the Army should for the present remain unchanged. The ultimate aim should be to reduce it so that Indian boys shall enter the Army on an equality as regards age with British boys.

(viii) The existing methods of publicity should be continued, but should be supplemented by enlisting the aid of the University authorities and Provincial information bureaux.

(ix) Entrance to the Indian military college in the case of candidates from the Dehra Dun College and the ordinary schools and colleges should be by open competitive examination.

(x) The basis of selection should be wide, and the method of applying to sit for the entrance examination as simple as possible. No preference should be given to any particular class or community.

(xi) The Army entrance examination should be conducted by a single central authority at the headquarters of the Government of India, to which any boy, provided he possesses certain prescribed qualifications, should be eligible to apply direct for permission to attend it.

This authority alone should have the power after due enquiry as to his qualifications and antecedents to refuse a candidate permission to sit at the examination. All candidates whose applications are approved by this authority and who satisfy a military medical board as to their physical fitness, should be allowed to attend the central entrance examination.

(xii) Advisory boards should be constituted in convenient centres for the purpose of advising candidates as to their chances of success in the entrance examination. Such boards should have no power to reject a candidate, and a candidate should not be bound to abide by their verdict.

(xiii) Candidates should be required to pay all expenses incurred by them in proceeding either to attend the medical board or to sit at the entrance examination.

(xiv) To be eligible to sit for the competitive entrance examination a boy educated at one of the ordinary schools should be required to be between the ages of 16½ and 18½ and to have passed the Matriculation or equivalent standard.

(xv) Boys from the Dehra Dun College should enter the military college at approximately the same age as boys from the ordinary schools. As it is desirable that boys should spend at least six years at the Dehra Dun College in order to get the maximum benefit from it, the age limits for admission to the College should be reduced from the present 11½ years to 13 years to 10 to 11½ years.

(xvi) Indian boys educated in England who wish to receive their military training at the Indian military college should be required to qualify by the same tests as are applied to boys educated in India.



(xvii) British boys who wish to enter the Indian Army should, if they are willing, be permitted to receive their military training at the Indian military college on the same conditions as Indian boys.

(xviii) The entrance examination should consist of a written examination and an interview test. The final nomination should be made by H. E. the Viceroy on the combined results of these two tests. The majority should be chosen from among those who stand highest in the order of merit, but H. E. the Commander-in-Chief should have the power to recommend the nomination of a certain percentage of candidates from among those who qualify, but do not stand sufficiently high to obtain nomination in the ordinary course.

(xix) Indian boys, whether educated in England or in India, who desire to enter Sandhurst should be required to qualify for admission by the same test as British boys. Arrangements should be made to allow them to compete for entrance either in England or in India. Urdu should be included as an optional subject in the entrance examination.

Boys studying at the Dehra Dun College who wish to enter Sandhurst should be permitted to remain at the college for an extra year in order to complete their preparation for the entrance examination.

(xx) No pains should be spared to place the machinery of the Indian Military College on the highest plane of efficiency which India can attain. The instructors should be mainly British officers and should be picked men. If necessary, specially attractive terms of remuneration should be offered in order to secure teachers of the highest capacity and reputation.

(xxi) The course at the Indian Military College should, in addition to military subjects, include a period of academic study as well. It should last for three years, of which the first should be mainly devoted to academic study and the last two mainly to military training.—The academic standard attainable at the end of the course should be so framed as to secure specific recognition from the educational authorities. The scope of the military training should be the same as that of the present Sandhurst course, but it may be desirable later to convert the college into a combined institution providing also the facilities of Woolwich.

(xxii) The establishment of the college at the start should be 100 cadets. It should be inaugurated with an intake of 33 cadets a year for the first three years, so that it may reach its full initial establishment in the year in which the first batch of entrants commences the last year of their training. In the fourth year of its existence, and subsequently at intervals of three years, the annual intake should be increased by 12.

(xxiii) The expenses of maintaining the Indian Military College should be reduced to the lowest level compatible with efficiency, and, in order to bring the college within the reach of Indian parents of the classes which will provide the majority of cadets, the fees charged should be fixed at an amount which can be paid without hardship by parents of these classes.

(xxiv) Scholarships should be provided by the Government of India for 30 per cent of the boys who pass into the college annually, both, to encourage talent and to assist the sons of soldiers who would otherwise be unable for financial reasons to enter the college.

Some of these scholarships should be fixed at an amount which will cover part of the expenditure on the boy's education at Dehra Dun, if he has been educated there. Apart from this there should be no modification

of the existing official arrangements regulating the incidence of the cost of the education at the Dehra Dun College.

In addition the endowment of scholarships through private generosity for boys of particular Provinces, communities and Indian States at Dehra Dun and the Indian military college would be welcomed.

(xxv) Boys who elect to receive their education at Sandhurst after the military college has been established in India should receive no greater pecuniary assistance than that which is given at present to Indian boys proceeding to Sandhurst.

(xxvi) The arrangements for the guardianship of the Indian cadets at Sandhurst should be placed on a satisfactory footing. Parents who are in a position to do so should be encouraged to select their own guardians for their boys. For those boys whose parents are unable to secure the services of a personal guardian an official guardian should be appointed. He should be very carefully chosen and his duties should be precisely defined. In view of the heavy responsibilities which will devolve upon him he should be granted some substantial remuneration.

(xxvii) Viceroy's Commissioned officers who satisfy certain conditions should be admitted to the Indian military college in limited numbers for the purpose of qualifying for the King's Commission. Candidates should be selected by a board similar to that which interviews candidates for Sandhurst. Those admitted to the college should only be required to undergo the last two years, or the military portion, of the course.

(xxviii) Special educational facilities should be afforded to the children of the classes from which Viceroy's Commissioned officers are drawn, so that the best of them may have a practical chance in future of rising through Viceroy's to King's Commissioned rank.

(xxix) Suitable Indian students of British Universities should be granted direct commissions in the Army. To make this proposal effectual, the Officers' Training Corps at British Universities should again be thrown open to Indians, any expense incurred in such a step being borne, if necessary, by the Government of India.

(xxx) The time is not ripe at present for the grant of direct commissions on similar lines to students of Indian Universities.

(xxxi) Indian cadets who are commissioned from the Indian military college should be attached to a cavalry or infantry unit in the United Kingdom for a period of one year.

(xxxii) Indian cadets who qualify at Woolwich, and, later, those who qualify in India by the course corresponding to that of Woolwich, should complete their initial training in exactly the same way as the British cadet does at present, i.e., by attending courses at Chatham and Cambridge in the case of Engineer officers and at Larkhill in the case of Artillery officers.

(xxxiii) The "eight units scheme" should be abandoned, and Indian King's Commissioned officers should be eligible to be posted to any Indian unit of the Indian Army.

(xxxiv) There should be no change in the present rates of pay and allowances, including marriage allowances. Incidentally, married students should not be allowed at the Dehra Dun College, or married cadets at Sandhurst or the Indian military college.

(xxxv) A certain number of vacancies at the Indian military college over and above the number of vacancies available for candidates seeking

commissions in the regular Indian Army should be reserved for Indian States which wish to avail themselves of the benefits of the training available at the college for the purpose of giving higher training to some of the officers of their State Forces.

The details of the suggested scheme of Indianisation of the Indian Army are shown in tabular form in the statement appended. The following notes are explanatory of the statement.

1. The normal strength of the cadre of officers of the Indian Army (Cavalry and Infantry units) has been taken as 3,200. The annual wastage in that cadre has, it is understood, never been actuarially calculated, and it has been assumed to be 160, the only figure of authority supplied to the Committee.

2. It is proposed that an increase of 10 vacancies at Sandhurst should be sanctioned immediately. An interval must be allowed in which to advertise the extra vacancies, etc. To permit of an increase in May, 1928 the additional cadets would have to be ready to pass the examination held in September, 1927, and would have to commence their special preparation for the examination at least six months before that. It is therefore postulated that there would be no increase of actual entrants until the September term of 1928, when 10 cadets instead of 5 should be admitted to Sandhurst, the examination for admission having been held in May, 1928.

3. In 1929 and in successive years, up to and including the year in which the proposed Indian military college is opened (*vide* note 4 following) it is proposed that there should be an increase of 4 each year, as a temporary measure, in the number of vacancies allotted to Indians at Sandhurst.

4. In 1933, a military college on the lines of Sandhurst should be opened in India. The capacity of the college should in the first instance be 100 cadets, and the course of training three years. A batch of 33 cadets should join the college in 1933 and in each of the two succeeding years.

5. After the opening of the Indian Military College, the number of vacancies allotted annually to Indians at Sandhurst can be reduced to the former figure of 20. Any vacancies at Sandhurst not actually taken up by Indians should be added to the establishment of the Indian Military College.

6. In 1936, the first cadets trained at the Indian Military College receive their commissions.

7. In 1936, the annual intake at the Indian Military College is increased by 12, this making a total of 45 Indian cadets sent for training, exclusive of the 20 Indian cadets sent to Sandhurst.

8. In 1939 and at intervals of 3 years thereafter, the annual intake at the Indian Military College is further increased, on each occasion by 12. In 1942, the intake rises to 69, giving, with the 20 Indian cadets sent for training at Sandhurst, a total of 89 Indian cadets to be commissioned.

9. In 1944, the senior Indian King's Commissioned officers now in the Army will be due to be considered for command of regiments. After this stage is passed and, it is assumed, passed successfully, the number of commissions granted to Indians rises above 50 per cent. of the total annual recruitment to the Indian Army.

10. In 1952, more than 50 per cent. of the total officer cadre of the Indian Army consists of Indians.

11. The above figures are subject to a percentage correction on account of inevitable wastage and failure. This cannot be calculated precisely and for the present purpose it is not necessary to attempt to do so.

## Government of India's Communique..

The Government of India in issuing the report say in a Press communique:—The Government of India consider it necessary to emphasise that neither they nor His Majesty's Government have yet formed their conclusions on it, and that those conclusions must necessarily take account of certain factors, of which it was not within the province of the Committee to undertake a complete survey. For example, although the Committee's recommendations in themselves are designed primarily with a view to Indian conditions, the problems of recruitment and training of King's Commissioned officers for whatever service are essentially an Imperial concern, and any proposals reacting on them will require close scrutiny by His Majesty's Government and their military advisors. Again, the Government when called upon to deal with any scheme of increasing Indianisation, extending over a number of years, must leave themselves free to consider whether the basis of that scheme offers a sure, stable line of advance towards the creation of a Dominion Army or whether alternative methods, which did not fall within the Committee's terms of reference, might not more profitably be explored. The Committee's report will thus be used as a starting point for discussions with His Majesty's Government to whom the Government of India will in due course forward their considered views on it.

The Committee hold that the present system of recruitment of Indians to King's Commissioned ranks has failed and quote the opinion of Sir Malcolm Hailey and Sir Prabashanker Pattani that from a national as well as a wider point of view, both Imperial and Asiatic, it is imperative to secure the best possible material for the Indian officers of the army. Hitherto no acceleration in Indianisation had taken place and various causes contributed to the paucity of candidates. These causes are examined and remedies are suggested. The 8-unit scheme is held not only to conflict with the principle of co-operation between Indians and British in every other sphere of administration, but the test formulated is considered to be unfair and too severe upon the first generation of Indian officers, who had already other disadvantages to overcome. Both for psychological and practical reasons the continuance of the scheme can, in the Committee's opinion, only conduce to failure and its abandonment is recommended. The scope of employment of Indians in higher ranks in the army in India should be greatly extended and facilities provided in India to train them for King's Commissioned ranks. A substantial and progressive scheme of Indianisation should be adopted and, subject to the present standard of efficiency being maintained, should be faithfully carried out.

Such a scheme should provide for the following measures:—In 1928 the number of vacancies, at present ten, allotted to Indians be doubled and thereafter increased progressively by four a year until a military college on the lines of Sandhurst is established in India in 1933, the interval being used for raising the necessary buildings and arranging staff, etc. The Committee has adopted Sandhurst as their model in preference to the Canadian or American system, for the reason that India being in need of a large standing army must follow the standard of military efficiency at Sandhurst, but in order to make up for academic deficiency, it is laid down that there be a three years course, of which the first year be devoted mainly to academic study and the last two mainly to military training through instruc-

tors who should be mainly British. The Indian Sandhurst should at the start have an establishment of 100 cadets doing a three years course, the establishment of the college to be increased progressively.

The Committee recommend, that in order to maintain the Imperial connection in military matters, 20 vacancies should continue to be reserved for Indians at Sandhurst. After the opening of the Military College in India, the advantages of this course are held to outweigh the fear that those Indians trained at the British college might look down on those trained in India. It is pointed out, in this connection, that British military institutions did not concede admission above 5 per cent of their recruitment to Indians. This meant that India must have her own institutions. The Committee recommend that successful cadets from the Indian Sandhurst be granted King's Commissions in His Majesty's land forces. They attach great importance to this and mention the instance of the Canadian Dominion Commission being recently admitted as equivalent to the King's Commission.

As regards the other wings of the Army, the Committee urge that Indians be made eligible for employment as King's Commissioned officers in the Artillery, Engineer, Signal, Tank and Air arms, provided they qualify by the same tests as British boys. From 1923 eight vacancies be allotted to Indians at Woolwich and two at Cranwell, to be increased progressively in due proportion. It may be desirable later to provide the facilities of Woolwich at the Indian Sandhurst. The Committee however to ensure the best efficiency recommend that cadets commissioned from the Indian Sandhurst be attached to a Cavalry or Infantry unit in the United Kingdom for a year and in the case of the establishment of a Woolwich in India Indian cadets would attend the courses at Chatham and Cambridge and at Larkhill reciprocally.

It is recommended that the door of Indian institutions should be open to Britishers who might like to enter them under the proposed scheme of Indianisation. The Committee compute that half the total cadre of officers in the Indian Army would be Indian in 1952. Opinion on this point was not unanimous as Mr. Jinnah, Mr. Ramachandra Rao and Major Zairwar Singh wanted this 50 per cent Indianisation to be attained in 15 years and Sir Pheroze Sethna and Major Daffe wanted it to be reached in 30 years. The Committee however make no recommendation as to what the ratio of Indian and British recruitment should be after the 50 per centage is reached. The Committee assume generally employment in India of a quota of British troops and acknowledge that the progress of the scheme must be contingent upon success being secured at every stage, and upon military efficiency being maintained throughout. The phenomena of falling off in British recruitment as a result of Indianisation were liable to occur and the Committee, recognising the value to India for the success of the Indianisation policy itself of a continued supply of British officers of the same high quality as have served India in the past, regard it as specially important to maintain the proportion of British recruitment required.

The Committee accept the view of Sir Malcolm Hailey that within reason questions of finance should not be allowed to stand in the way of giving effect to their proposals. They make a large number of subsidiary recommendations. The Dehra Dun College should continue to expand up to about 300 cadets, with the object of producing boys for the Army, and Navy. When its expansion is complete, another college on the same lines

## THE INDIAN SANDHURST COMMITTEE

may be opened in some other place. The Government of India should impress on the educational authorities the paramount national importance of reforming the system of education to develop the essential characteristics of an army officer. The present age limit is not to be changed, the ultimate aim being to reduce it to the British standard. Publicity should be pushed with the aid of the University authorities and the Provincial information bureaux. The method of selection should be through competitive tests, conducted by a single central authority at the Headquarters of the Government of India. No preference should be given to any particular class or community, but the Commander-in-Chief should have the same powers as the Army Council has of nominating candidates not exceeding 20 per cent from among those who qualify but do not stand sufficiently high in order of merit. Viceroy's Commissioned Officers, satisfying certain conditions, shall be admitted to the Sandhurst in limited numbers for two years. Military training and special educational facilities shall be provided to the children of Viceroy's Commissioned Officers to have practical chance through the Viceroy's Commissions of rising to King's Commissions. The Committee do not think that the time is ripe for grant of direct commissions to students of Indian universities; but officers' training corps at British universities and suitable students among them shall be granted direct commissions in the Army. The fees to be charged at Sandhurst should be within the means of upper and middle class parents. Twenty per cent Government scholarships and endowment of scholarships by private generosity are recommended. The Committee further propose that there should be no change in the present rates of pay and allowances, including marriage allowances, and that married students and cadets be barred from entering Dehra Dun College or either of the two Sandhursts.

Dealing with the case of Indian States the Committee recommend that a certain number of vacancies at the Indian Sandhurst should be reserved for Indian States wishing at their own expense to send for higher training officers of their State forces. This would be to the advantage of India as a whole, tending to increase the efficiency of the Indian State Forces.

The Committee lay particular emphasis on the qualification of guardians of Indian cadets at British Sandhurst.

Of four appendices to the report one embodies the scheme of Indianisation in a tabular form and the other reproduces extracts from a lecture at Sandhurst, which the Committee are definitely of opinion contains certain passages open to the interpretation that the eight-unit scheme was devised so that no British boy would be liable to serve under the command of an Indian. The Committee do not believe this to be the intention of the Government. The Committee finally refer to the personal knowledge and practical experience of most of its members, which have been of great and special value, and express special, cordial and respectful appreciation of the service of General Skeen, whose ripe experience, breadth of mind, sympathetic outlook and patience, courtesy and skill in conducting the proceedings made their task pleasant and facilitated its accomplishment. Tribute is also paid to the work of Mr. Burdon, the only other official member of the Committee and of their Secretary, Major Lumby.

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# Currency Commission's Recommendations

## The Three Government Bills.

On the 16th January the Government of India published in a "Gazette Extraordinary" the text of the three important bills embodying the Currency Commission's recommendations. These are (1) a bill to establish a gold standard currency for British India and constitute a Reserve Bank of India, (2) a bill further to amend the Imperial Bank Act 1920 for certain purposes and (3) a bill to amend the Coinage Act 1906 and the Paper Currency Act 1925 for certain purposes and to lay upon the Government certain obligations in regard to the purchase of gold and the sale of gold exchange.

**The Currency and Coinage Act Amendment.**—The last bill aims at the immediate stabilisation of the rupee in relation to gold purposes at the rate of 1s. 6d. that is the rate of one rupee for 8.47512 grains gold, and at the same time removes the legal tender quality of the sovereign and half-sovereign in accordance with the Commission's recommendations for their demonetisation in order to enable a real gold bullion standard to be established. In order, however, to enable small holders of these coins to convert them into legal tender money, it is proposed to provide for receipt of these coins in any quantities at their bullion value at the proposed rate the Commission recommended. The Reserve Bank takes over the note issue and there should be a statutory obligation on the Government to buy and sell gold on gold exchange at its option at the gold points of accepted gold parity of the rupee; but as during the transitory period the Government would be engaged in building up gold holding in reserve they would not exercise the option to give gold. Clauses 4 and 5 of this bill are designed to give effect to the recommendation as modified above. In other respects the bill is substantially the same in its purposes as the bill introduced in August last.

**The Reserve Bank.**—The bill to establish a gold standard currency and to constitute a Reserve Bank occupies 15 pages of printed foolscap. It is proposed to give the Reserve Bank the sole right of note issue for 25 years in the first instance subject to renewal. The capital of the Bank should be five crores fully paid-up and Imperial Bank's shareholders would be given the first opportunity of subscribing therefor, but as it is undesirable to give shareholders of the Imperial Bank, a preponderating voice in deciding the currency policy of the Reserve Bank, it is proposed by Clause 4 to give the Imperial Bank as an institution, and not to its individual shareholders, the option of subscribing 30 per cent of the capital. The Central Board of the Imperial Bank has expressed willingness in principle in view of the other terms proposed to be given to the Bank, to recommend this proposal for the acceptance of shareholders. The Head Office of the Reserve Bank will be in Bombay. The proposal of its having local boards in Bombay, Madras and Calcutta in order to send representatives who would constitute the Central Board is held undesirable and so shareholders as a body would elect 9

Directors who are not appointed by the Government. Others who will compose the Board will be a Governor and a Deputy Governor appointed by the Government for 5 years and three Directors nominated by the Government to represent Commerce, Industry and Agriculture, besides an Officer appointed by the Government. The Bill empowers the Reserve Bank to receive deposit from private persons provided no interest is paid. It also authorises the Bank for 5 years to advance money against Promissory notes of scheduled Banks and thereby help in financing industry and movement of crops. The Bank is allowed to issue notes of Government for a year from the date on which it takes over the control of currency and freedom is retained to postpone the issue of one rupee notes for a time, if such postponement appears desirable.

With reference to the size of holding of silver rupees in reserve, the bill provides for transfer to the Bank of assets of such a nature as to enable the Bank to constitute a reserve in accordance with the requirements of the Act, and in order to give the new Bank necessary margin over the minimum requirements, it is proposed to include in assets transferred gold, and gold securities equal to one half of the liabilities of the issue department. Clause 35 of the Bill gives effect to the recommendation regarding the sale of gold by the Bank and this obligation will take effect from such date not later than 1st January 1931 as Government may appoint. The Bank shall not be placed in voluntary or compulsory liquidation without the sanction of the Government and in such manner as the Government might direct. In such an event the Reserve Fund and surplus asset, if any, of the Bank will be divided between the Government and shareholders in the proportion of 60 and 40 per cent respectively. The obligations imposed on the Government by the Currency Bill to receive sovereigns and half-sovereigns from public at their bullion value, will be taken over by the Reserve Bank simultaneously with the transfer of conduct of note issue to it.

Clear out division of functions between the Reserve Bank and the Imperial Bank is the essence of the proposal creating the Reserve Bank. The bill embodies several other recommendations of the Commission in this respect. The Imperial Bank would be the sole Agent of the Reserve Bank at all places where there is a branch of the Imperial Bank and no Branch of the Reserve Bank. The proposed terms between the two Banks will involve no fresh charge on the taxpayer. They are designed to remunerate the Imperial Bank for agency work done for the Reserve Bank and loss in respect of non-paying branches and to encourage further extension of banking in India.

**Imperial Bank Act Amendment.**—The Bill amending the Imperial Bank Act 1920 is brief. It is rendered necessary by the transfer to the Reserve Bank to face the Imperial Bank from restrictions which on account of its hybrid nature are at present imposed on it. The Imperial Bank is authorised by the bill to enter into agreement with the Reserve Bank to conduct Government business as the agent of the Reserve Bank. It is proposed to remove the limitation now imposed on business which the Imperial Bank may transact at its London Office and to give specific power to the Bank to open branches outside India in London and elsewhere. It is also proposed to give the Bank extended powers in regard to its internal business and to remove restrictions on foreign exchange business which the Bank may transact. Several minor consequential amendments are also notified



## Statement of Objects and Reasons.

### 1. — THE RESERVE BANK.

The following is the statement of the objects and reasons for the bill to establish gold standard currency for British India and constitute a Reserve Bank of India. The statement runs: The object of this Bill is to give effect to the recommendations of the Royal Commission on Indian Currency and Finance for the establishment of a gold standard for India and for constituting a Reserve Bank of India to control the working of that standard.

The various clauses of the Bill are briefly explained below:—

Clause 1:—It is proposed to give the bank sole right of note issue for a period of twenty-five years in the first instance subject to renewal as recommended in paragraph 141 of the Commission's report. The provision that the Act shall come into force not later than 1st January 1929 is based upon time table recommended by the Commission in 165 of the report.

Clause 3:—The name "The Reserve Bank of India" is that suggested in paragraph 92 of the report.

Clause 4:—The Commission recommended that the capital of the Bank should be rupees five crores fully paid up and that the Imperial Bank shareholders should be given the first opportunity of subscribing for capital stock of the bank as consideration for foregoing important privileges which the Imperial Bank now enjoys. A clear-cut division of functions between the Reserve Bank of India and the Imperial Bank of India is the essence of the proposal creating a Reserve Bank and, if avoidable, it is undesirable to give the shareholders of the Imperial Bank of India a preponderant voice in deciding the currency policy of the Reserve Bank. It is, therefore, proposed in this clause to give the Imperial Bank of India as an institution and not to its individual shareholders, the option of subscribing thirty per cent. of the capital. It will be open to the Imperial Bank of India to distribute the allotment among its shareholders if it so desires. The Central Board of Imperial Bank of India has expressed its willingness in principle in view of the other terms proposed to be given to the Imperial Bank to recommend this proposal for the acceptance of shareholders. It is necessary that the Government should be prepared to take up any unallotted shares, but it is not desirable that these should continue to be held permanently by them. It is, therefore, proposed that the Governor-General in Council should dispose of any unallotted shares taken up by him within three years.

Clause 5:—This is based on paragraph 101 of the Commission's report. It is necessary to make provision for the contingency of a reduction of the share capital in regard to which the Commission have made no recommendation. Clause 6:—The head office of the bank will be located in Bombay as recommended by the Commission in para 97 of the report. Clause 8:—This gives effect to the recommendations in paragraph 95 and 96 of the report. Clause 9:—This is based on paragraph 94 of the Commission's report. The Commission recommended therein that the Reserve Bank should have local board in Bombay, Madras and Calcutta and that representatives from these boards should constitute a majority on the Central Board. It is considered undesirable for various reasons to base the constitution of the Central Board on a system of local boards. If local boards are dispensed

with, it is necessary that share-holders as a body should elect those directors who are not appointed by the Government. As regards nominated directors, it is considered desirable in order that all interests may be represented, that the three directors nominated by the Government should represent Commerce, Industry and Agriculture respectively. The term of office of nominated directors is proposed by the Commission to be fixed at one year which is too short to conduce to efficient work. It is, therefore, proposed to extend it to three years.

Clause 10 :— It is provided in this clause that the Governor, Deputy Governor or any nominated director may be removed by Governor-General in Council if a resolution to that effect is passed by a majority of the board consisting of not less than nine directors, that is by a substantial majority of the Board. Provision for the removal of elected directors follows the lines of a similar provision in the Imperial Bank of India Act. It seems undesirable that elected directors should be removable by a bare majority at a general meeting. Clause 11 :— As there may be no local board at Calcutta, it is desirable to provide that the Central Board shall meet in Calcutta at least once in every four months. Clause 12 :— This gives effect to the recommendations in paragraph 98 of the Commission's Report. Clause 13 :— This is based upon a similar provision in section 30 of the Imperial Bank of India Act. It is necessary to make special provision for the formation of the first board.

Clause 14 and 16 :— These embody proposal in schedule 2 to the report defining the functions and capacities of the bank. The Commission have not provided for the Reserve Bank receiving non-interest bearing deposits from private persons. It is considered that like most other central banks in the world, the Reserve Bank of India should also be allowed to receive deposits from private persons provided no interest is paid. Financing of industry and movement of crops in India is carried on by cash credits and as the provision recommended by the Commission stands, it will be difficult for the Reserve Bank to assist other banks in providing the necessary credit without some considerable changes in banking methods. It is, therefore, proposed in sub-clause 4 (e) that for a period of five years, the bank should be authorised to advance money against promissory notes of scheduled banks under certain conditions. It is considered undesirable to limit the amount of securities held at any time in the banking department to so low a figure as 25 per cent of the liabilities as recommended by the Commission in clause 3 (d) of schedule 2 of their report as in view of the very fluctuating nature of deposits, limitation might force the sale of securities merely to bring the bank with the provisions of its character for a few days. The Commission recommended in clause 7 (a) of schedule 2 of the report that the paid-up capital and reserve may be securities of the Government of India having not more than five years to run in view of the fact that the Government of India are now finding their short term loans into long term loans. The limitation of maturity to five years might unduly restrict the power of the bank to invest in such securities after a few years. It is therefore proposed to modify the provision so as to permit of investment in Government of India securities of any maturity.

Clause 15.— This gives effect to the recommendations in paragraph 102 of the report regarding operations in the open market.

Clause 17 and 18.— These give effect to the recommendations in paragraph 140 of the report regarding the relations of the bank with the Govt.

Clause 19.—This gives effect to the recommendations in paragraph 141 of the report. The Commission recommend that the right of note issue should be transferred to the bank as soon as the bank was in a position to issue its own notes. It is not desirable to postpone early functioning of the bank till it is able to arrange for manufacture and issue of its own notes and it is, therefore, proposed to allow the bank to issue notes of the Government of India for a year from the date on which the bank takes over the control of the currency.

Clause 20.—This gives effect to recommendations in 143 of the report regarding the separation of the banking and issue departments of the bank.

Clause 21.—This gives effect to the recommendations in paragraph 142 of the report. Freedom is retained to postpone the issue of one-rupee notes for a time if such postponement appears desirable with reference to size of the holding of silver rupees in the reserve.

Clause 22.—This gives effect to the recommendations in paragraph 156 of the report regarding the form and material of bank notes.

Clause 23.—This is based upon the recommendations in paragraph 149 of the report. The notes of the bank shall be legal tender for payment of any amount and shall be guaranteed by the Government of India. The Commission recommend in paragraph 141 of the report that not later than 5 years from the date of the bank charter becoming operative the Government of India notes still outstanding should cease to be legal tender except at Government Treasuries. By the end of 5 years very few Government of India notes will remain outstanding and it is undesirable to take away the legal tender character of the note in the absence of any very definite advantage to be gained by so doing. It is however, proposed to take power from the Governor-General in Council and the bank to call in notes of particular series if necessity arises.

Clause 24.—This is based on paragraph 155 of the Commission's report regarding re-issue of bank notes. Clause 25.—This is based upon a similar provision in the Indian Paper Currency Act and is necessary to protect the Bank against civil action in respect of notes lost, stolen, mutilated or imperfect. Clause 26 and 27.—These are based upon a similar provision in the Indian Paper Currency Act.

Clause 28.—This gives effect to the recommendations in para 145 of the Commission's report regarding the constitution of reserve.

Clause 29.—This gives effect to the recommendations in para 146 of the Commission's report defining liabilities of the issue department. Provision in sub-clause (2) of this clause is similar to that in proviso to sub-section (6) of section 18 of the Indian Paper Currency Act although it differs in detail. Under the Indian Paper Currency Act notes of denominational value exceeding rupees one hundred cannot be deemed to be not in circulation until 100 years after the date of issue, whereas notes of lower denominations are so deemed after 40 years. This distinction between the higher and lower denominations of notes is undesirable. In practice notes of higher denominations are much less likely to be outstanding for a very long period than notes of lower denomination and the practice at the Bank of England is to treat all notes as not in circulation after 40 years. It is considered that the Reserve Bank might with advantage follow the practice of the Bank of England.

Clause 30.—This is based upon para 144 of the report. The Commission recommend that coin and bullion and securities to be transferred to the issue department should be specified in a schedule. The amount of notes in circulation at the time of the inauguration of the bank will not be known. When the Bill is introduced and passed and also between the dates of the introduction of the Bill and its passing into law and the inauguration of the bank, there will be changes in the constitution of the reserve held against note issue. It is, therefore, proposed to provide for transfer to the bank of assets of such a nature as to enable the bank to constitute the reserve in accordance with the requirements laid down in the Act. In order to give the new bank the necessary margin over minimum requirements, it is proposed to include in the assets transferred gold and gold securities equal to one-half of the liabilities of the issue department as suggested in clause 3 (a) of schedule 3 to the report.

Clause 31.—This gives effect to the recommendations in para 147 of the report regarding the disposal of surplus rupees by the bank.

Clause 32.—This gives effect to the recommendations in paragraph 147 of the report. As it would be uneconomical to coin new rupees until the stock of silver rupees in the reserve is reduced to the minimum of 25 crores or one-tenth of the total amount of the reserve whichever is greater, it is proposed to limit the right of the bank to demand delivery of rupee coin from the Government.

Clause 33.—This gives effect to the recommendations in paragraph 148 of the report regarding mutual obligations of the Government and the bank in regard to rupee coin.

Clause 34.—This gives effect to recommendations in 152 of the report.

Clause 35.—This gives effect to the recommendations in paragraph 150 of the report regarding the sale of gold by the bank.

Clause 36.—Provision in sub-clause (1) regarding the latest date on which obligation to sell gold should come into force is based upon the recommendation of the Commission in paragraph 153 of the report.

Clause 36.—This gives effect to the recommendation in 166 of the report. The Commission recommend that during the transition period, the Reserve Bank shall be under an obligation to sell gold or gold exchange at its option as the Bank will be engaged in building up its gold holding in order to be in a position to undertake the definite obligation to sell gold later. It is proposed to omit option to sell gold during the interim period.

Clause 37.—This gives effect to the recommendations in paragraph 151 and 166 of the Commission's report. Clause 36.—This gives effect to the recommendations in paragraph 153 of the report regarding the suspension of reserve requirements. Clause 39.—This gives effect to the recommendations in paragraph 154 of the report regarding the exemption of the bank from the payment of any tax or duty upon its note issue.

Clause 40.—Provisions in this clause are in accordance with the recommendations in para 149 of the report. The Commission recommend that the Governor-General in Council should have the right to take over the assets of the issue department so far as they are required to meet the liability of note or of rupee redemption. It is proposed to give the Governor-General in Council the right to take over ~~asset~~ not only of the issue department but of the banking department as well, as in theory such a necessity might arise if the bank failed to keep sufficient assets in the

issue department. A provision is also made for carrying on of note issue in such circumstances by some other agency determined by the Governor-General in Council.

Clause 41.—This gives effect to the recommendations in para 161 of the Commission's report with slight modifications. The percentages for minimum reserve balances recommended by the Commission appear somewhat high now in India. It is, therefore, proposed to reduce these percentages to 7 and a half and 2 and a half per cent of demand and time liabilities respectively. The definition of bank or banker suggested in para 167 of the Commission's report is imperfect but it is difficult to arrive at any satisfactory definition. It is thereupon proposed to exhibit in a schedule attached to the Bill the banks to which the provisions in this clause should apply in the first instance and to give the Governor-General in Council the power to make alterations in the schedule later. As the monthly return will show only the position at the close of the month to which it relates, it is necessary to provide for the receipt of the information mentioned in sub-clause (3) of the clause. It is also necessary that the provision should be made to enable the Government to take action not only on the monthly return submitted by the Bank but also on any report received from the Board of Reserve Bank.

Clause 42:—This follows the intention of para 87 of the report. Clause 43:—This is based upon the recommendations in para 100 of the Commission's report. It is considered unnecessary to build up the reserved fund as quickly as the Commission suggest and a lower rate of accumulation has, therefore, been proposed. Clause 44:—This gives effect to the recommendations in para 158 of the Commission's report. Clause 45 to 47:—These give effect to the recommendation in para 157 of the report. Clause 49:—It is necessary to make provision for the contingency of the liquidation of the bank and the distribution of the reserve fund and surplus assets, if any, of the bank.

Clause 50:—This is based upon the recommendations in para 164 of the report. The Commission proposed that the Governor-General in Council should be given absolute power to make regulations. It is thought preferable that the regulations should be made by the Board with the previous approval of the Governor-General in Council, local boards are not to be constituted on the creation of the Reserve Bank. It is proposed in sub-clause (2) (E) to give power to the Reserve Bank to establish such local boards, if considered necessary, later on and to delegate to them such powers and functions as may be desirable.

Clause 51:—The obligations proposed to be imposed on the Government by the Currency Bill to receive sovereigns and half sovereigns from the public their bullion value will be taken over by the Bank simultaneously with the transfer of the conduct of the note issue to it.

The second schedule.—The provisions contained in this schedule have been accepted by the Central Board of the Imperial Bank of India and will be placed before the shareholders of the Imperial Bank. The proposed terms will involve no fresh charge on the tax-payer. They are designed to remunerate the Imperial Bank of India for the agency work done for the Reserve Bank and the loss in respect of non-paying branches and to encourage the further extension of Banking in India.

## 2. Amendment to the Imperial Bank Act.

The following is the statement of objects and reasons for the bill to amend the Imperial Bank Act. The statement runs: The Royal Commission on Indian Currency and Finance have recommended that with the transfer to the Reserve Bank of India of the purely central banking functions which are at present performed by the Imperial Bank of India the latter should be freed from the restrictions which, on account of its hybrid nature, are at present imposed upon that bank. This Bill intended to remove some of those restrictions and to modify the control of Government over the operations of the bank. The amendments to Imperial Bank of India Act proposed in this Bill have been accepted by the Central Board of the Bank subject to any further modifications deemed necessary later on in the light of further consideration. The more important provisions of the Bill are as follows:

It is proposed to replace section 10 of the Imperial Bank of India Act by another authorising the bank to enter into an agreement with Reserve Bank of India to conduct Government business as the agent of the Reserve Bank. It is proposed to remove the limitation imposed by section 9 on the business which the Bank may transact at its London office and to give specific powers to the Bank to open branches outside India in London and elsewhere. It is also proposed to give the bank extended powers in regard to its internal business and to remove the restrictions on foreign exchange business which the Bank may transact. At present the Controller of Currency is an ex-officio member of the Central Board of the Bank and the Governor-General-in-Council nominates 4 other members to the Board under section 29 of the Imperial Bank of India Act. Although the Imperial Bank of India will transact Government business as the agent of the Reserve Bank, it will have no direct connection with the Government and it seems unnecessary for the Government to retain any measure of control over the operations of the Bank by the appointment of members to the Board. It is, therefore, proposed to remove the right of the Governor-General-in-Council to appoint such members. The Governor-General-in-Council is now entitled under regulation 54 of Imperial Bank of India Act to require of the Central Board of the Bank any information touching the affairs of the Bank and the production of any documents of the Bank and he may also require the publication of such statements of its assets and liabilities in such form and at such intervals as he thinks fit. It is proposed to remove this power from the Governor-General-in-Council but in order that he may be in a position to examine the affairs of the Bank in case of necessity, the provision by which he may appoint auditors under regulation 59 to examine and report upon the accounts of the Bank is proposed to be retained.

A number of minor amendments incidental to the above are also made and opportunity has been taken to introduce some small changes in the Act in sections which have been found difficult to work in practice.

## 3. Amendment of Currency and Coinage Acts.

The following is the text of the statement of objects and reasons for the Bill to amend the Currency and Coinage Acts. The object of this

Bill is to give effect to those recommendations of the Royal Commission on Indian Currency and Finance which relate to the immediate stabilisation of the Rupee in relation to gold and to interim measures required during the transition period pending the bringing into operation of their proposals for the transfer to a Reserve Bank of India of control of note issue and other functions at present performed by the Secretary of State and by the Government of India. The Commission recommend in paragraph 175 of their report that the rupee should be stabilised in relation to gold at a rate corresponding to an exchange rate of 1s. 6d. gold for the rupee, that is, at the rate of one rupee of 8.47512 grains of gold. Clause 2 and all but the last portion of sub-clause (a) (1) of clause 3 are designed to give effect to this recommendation and at the same time to remove legal tender quality of the sovereign and the half-sovereign which are at the present legal tender at the rate of 2s. for the rupee in accordance with the Commission's recommendation in paragraph 66 of their report that these gold coins must be demonetised in order to enable a real gold bullion standard to be established. In order, however, to enable the small holders of these coins to convert them into legal tender money, it is proposed to provide for receipt of these coins in any quantities at their bullion value at the rate of 8.47512 grains of gold per rupee. The Commission recommend in paragraph 166 of their report that until the Reserve Bank of India takes over the control of note issue, the Government of India must be under a statutory obligation to buy gold and to sell gold or gold exchange at its option at gold points of accepted gold parity of the rupee during the transitory period, the Government of India would be engaged in building up gold holding in the reserve and would not, therefore, exercise its option to give gold. Clauses 4 and 5 are designed to give effect to this recommendation as modified above.

Opportunity has been taken to amplify the explanation to sub-section (3) of section 19 of the Indian Paper Currency Act 1923, which contains the temporary provisions so as to provide for the valuation of gold bullion held in the Paper Currency Reserve on the lines of clause (a) of sub-section (b) of section 18 which refers to the permanent provisions which have not yet come into force. For it was announced in a press communique dated August 4th 1926 which accompanied the issue of the Commission's report that pending legislation, the Government would take such steps as may be necessary to confine the movements of exchange within the approximate upper and lower gold points as calculated on the basis of a 1s. 6d. rupee, namely 1s. 6-3/6d. and 1s. 5-3/6d. respectively and the Government undertook in the same communique to lay the proposals before the legislature during the next session in order to give the legislature the earliest possible opportunity of considering the matter. The Bill designed to give effect to that undertaking was accordingly placed before the legislature in August last. Further consideration of the Bill was postponed and the Bill automatically lapsed on the dissolution of the last Assembly. The present Bill is substantially the same in its purposes as the Bill introduced in August last, but opportunity has been taken to effect certain improvements in the drafting.

# The Backbay Reclamation Report.

The Bombay Back Bay Reclamation report was issued on the 17th January 1927. It apportions blame in respect of the difficulties in which the scheme is involved and makes recommendations regarding future operations. The report is unanimous and is signed by Sir Grimwood Mears, Chairman, Sir M. Visvesvarayya, Sir F. Hopkinson and Mr. S. B. Billimoria.

## Reasons for Failure.

The Committee say :—"The object of the Back Bay Reclamation Scheme was to reclaim from the sea an area of 1,145 acres at an estimated outlay of about Rs. 367 lakhs. The Government were prepared to spend on the scheme up to Rs. 400 lakhs, if necessary. A revised estimate for Rs. 702 lakhs was approved within two years of original sanction and, if the scheme is to be completed, a second estimate will be necessary. The total cost will approximate to about Rs. 900 lakhs gross exclusive of interest charges. This total sum will be reduced by Rs. 256 lakhs to be received from Military authorities and any other subsequent receipts from sales of land. The programme of reclamation which was to have been completed by 1926-27 has completely broken down. If it is continued under present conditions, it cannot be finished for many years to come. It is believed that land reclaimed cannot in the near future be sold at remunerative prices and care should be exercised not to reclaim land in advance of demand. The work is being constructed from public loans on which interest and sinking fund charges have to be met and Government are faced with a growing debt. The difficulties in which the scheme is at present involved arise from (1) unsatisfactory character of the estimates, (2) defective organisation, (3) failure of dredging operations and (4) fall in land values. Defects in various estimates would have been avoided if there had been sufficient and careful preliminary investigation. If an alternative comparative estimate for dry filling had been prepared at the outset and the cost of adequate dredging plant properly investigated the Government might have hesitated to commit themselves to the use of suction dredgers for this scheme. A dredging scheme costing Rs. 400 lakhs was an attractive financial proposition but it might very well be considered to have changed its character when the cost went up to Rs. 702 lakhs. Reclamation by dry filling, if then practicable, might have proved cheaper.

As regards organisation and arrangements made for the conduct of the scheme, these in themselves were almost unworkable. A reading of clause 3 of the agreement between the Secretary of State in Council and the firm of Mott and Macdonald shows that responsibility was not clearly defined between the engineers and the Director of Development. Much of the technical work was left to an overworked Chief Engineer or was not done at all; there was no costing system without which it was impossible properly to control expenditure. Because no body believed himself responsible for the due execution of the work, unwise decisions were taken and mistakes made such, for instance, as commencing the construction of the sea wall from both ends, delay in sealing rubble mound, undertaking dredging operations



in Back Bay without consideration of the cost, absence of preconcerted programmes to regulate operations, etc. All this militated against the success of the scheme and added to its cost. Inability of the dredger to give the required output has been the chief cause of failure and has had a disastrous effect on the financial prospects of the scheme. The principal reason for the present serious position of the scheme was the ordering of the dredger on estimates and specifications put forward by Messrs. Simons and Company and acceptance of a quotation for a dredging plant without any real effort to secure competitive tenders. The work having been undertaken in anticipation of realising large profits, the scheme was subjected to very great criticism when a period of acute trade depression set in with a consequent fall in land values. Trade depression was not a matter which could have been foreseen although caution was necessary in undertaking a scheme of this magnitude at a time when world conditions were unstable. With the disappearance of the prospect of profits, public criticism concentrated on the defects of the scheme."

Lord Lloyd's and Sir George Buchanan.

The Committee, discussing the present aspect of the case, pass strictures on the part played by persons in authority. Dealing first with Lord Lloyd, the Committee observe: "Lord Lloyd left England charged by Mr. Montagu to take urgent steps to improve the housing conditions of Bombay. Whilst that did necessarily imply the undertaking of a reclamation scheme, reclamation had nevertheless been considered for many years to be an integral part of any comprehensive scheme for the betterment of conditions. We are satisfied from the evidence that Mr. Montagu was deeply interested in reclamation and wished it to be carried through. We think that Lord Lloyd and the Government of Bombay were justified in accepting Sir George Buchanan as an expert to report on Mr. Kidd's scheme and that, having taken the man recommended by the Government of India, the proper and prudent course was to treat his opinion as final and authoritative. Lord Lloyd's letter of 25th May 1919 shows conclusively that he had no predilection for a reclamation scheme and that he was prepared to abandon it at once had Sir George Buchanan reported adversely on it. Though we are aware that a Governor must necessarily rely upon his advisers for the details of any particular scheme, yet having regard to the personal interest displayed by Lord Lloyd as disclosed by his evidence and that of Sir George Buchanan, we are surprised that his acute intelligence overlooked the apparent inadequacy of Sir George Buchanan's figures even though he held the belief that the 1912 figures of Mr. Kidd were to some extent inflated. In his report, Sir George Buchanan himself gave Rs. 241.90 lakhs as the figure which he would have estimated in 1912 and, on that basis, the work could not have been done by him in 1919 for less than Rs. 605 lakhs. To a lesser extent we are surprised that Lord Lloyd, when reading Sir George Buchanan's report, did not notice that Sir George Buchanan described the clay as hard whilst Messrs. Simons and Company were putting forward an offer for a soft clay dredger. We do not agree with Lord Lloyd that this was a technical point. The explanation may be a technical one, but discovery of the apparent contradiction between the character of clay as described by Sir George Buchanan and Messrs. Simons and Company needed no technical knowledge. It stood out on the document and was, unless satisfactorily explained, a contradiction in terms. We are satisfied that

Lord Lloyd acted throughout with the highest motives, anxious only to make good his undertaking to Mr. Montagu and to benefit the city of Bombay.

"Sir George Curtis who is living at Dinard was too ill to attend. He has, however, furnished answers to certain questions which were sent to him. Although he was the Member in charge during the inception of the scheme, he has not been able at this distance of time to give us any information of value and he cannot enlighten us at all as to the reason why no one in the Government of Bombay queried the varying descriptions of clay or compared the estimates of Mr. Kidd and Sir George Buchanan with reference to 1912 and 1919 prices." The Committee next dealt at length with Sir George Buchanan and state: "We cannot understand how Sir George Buchanan's figures found acceptance in Bombay and Delhi even with the addition of some 10 per cent. It was common knowledge that prices of plant, material and labour, when taken collectively, had gone up at least  $2\frac{1}{2}$  times in the period between 1912 and 1919. The 1912 figure of Mr. Kidd, Rs. 323'23 lakhs, had been accepted both by the Government of Bombay and the Government of India as a fair figure. If that was their belief, then Rs. 366 lakhs, was a manifest under-estimate and proper scrutiny would infallibly have demonstrated it. When Sir George Buchanan was being questioned on these two sets of figures by the Committee and the rise in prices and the inevitable inferences arising from them, he preferred not to answer the question. Failure of the Government of Bombay and the Government of India and, in particular, failure of Sir Sydney Crookshank to notice the varying description of clay contained in (a) Mr. Kidd's report, (b) Sir George Buchanan's report, (c) Messrs. Simons and Co's letter of 12th September 1919 and general conditions enclosed with that letter are regrettable. The reports of Mr. Kidd and of Sir George Buchanan were not studied with due and proper care by the Bombay Government and the Government of India respectively. The Government of Bombay ought to have approached the port Trust and the Royal Indian Marine for permission to dredge in the harbour before deciding on dredging as the mode of reclamation. We consider that Sir George Buchanan ought to have made far more extended and careful local investigations. These occupied him for less than a fortnight in May 1919."

The Committee then make observations at length to justify their conclusion that "with regard to the order for dredger, Sir George Buchanan committed grave errors of judgment. The principal cause of failure of the dredging operations arose, in our opinion, from the fact that Sir George Buchanan did not take trouble to ascertain the working records of 'Kalu' and 'Jinga' and believing that they had done extraordinarily good work, was of opinion that vessels of a slightly increased horse power of the same type would be adequate for the work. A most serious mistake in connection with the order of the dredger was the assumption that a machine capable of dredging 2,000 cubic yards on a short test would be capable of averaging that quantity during a whole season.

The building of the sea wall at both ends simultaneously was disastrous. Though the suggestion emanated from the Government of Bombay who must, therefore, take greater part of responsibility, we are of opinion that Sir George Buchanan should have advised it and resisted it and should, in the circumstances of the sale of block 8 to the military, have prepared a programme for building of the wall and the commencement of reclamation

from Colaba end only. Moreover, the building of sea wall from both ends simultaneously prevented continuance of original and sensible plan which was to shut an area as soon as possible and pump into it with the least possible delay."

Examining the defective organization, the Committee say that from the outset, neither Sir George Buchanan nor Sir Lawless Hepper seemed to have any very clearly defined idea of their respective duties. Later, when the disaster was threatening the enterprise, each relied upon his interpretation of the agreement. Sir Lawless Hepper, when giving evidence, insisted before us that Sir George Buchanan was entirely responsible for the due execution of the works as if he were in fact a contractor who had undertaken them. On the other hand, Sir George Buchanan contended that responsibility lay with Sir Lawless Hopper, pointing out that he it was who had control of the resident engineer and that his firm has no power of dismissal over any of the staff. On a strict construction of the agreement, we incline to the opinion that Sir George Buchanan is right although there are statements of his to be found in his correspondence which would bear the interpretation that he did regard his firm as responsible for the actual carrying out of the works. The reports of the Development Directorate drafted by Sir Lawless Hepper cannot be justified. They did not present a true picture of the progress of work and concealed material circumstances. We are of opinion that Sir Lawless Hepper had so much work in connection with other development schemes that even if he had appreciated his responsibility for the execution of the works, he could only have carried out that duty as regards reclamation by neglecting other duties relating to the other schemes. Mr. Lewis was not a specialist in sea works and dredging. Sir George Buchanan ought to have nominated him. It is most regrettable that he was allowed, contrary to Sir George Buchanan's advice, to remain at his post till July 1924. We are of opinion that Mr. Elgee, Mr. Orlake and Mr. Speirs have done their best on all occasions to promote the interests of reclamation and that the quarry constructional and dredging staff have done their duty."

Finally, the Committee say: "It has been put forward that reclamation of back bay would, by providing more land in business and residential area, in some way relieve housing conditions of poor classes. That, in our opinion, is too remote for serious consideration, but had back bay proved to be a financial success which was anticipated, the advantage to all classes of persons in the city and throughout the presidency would have been that there would have been available immense sums of money to be used for any purpose pleasing to the Legislative Council. Confident anticipation of profits had no doubt considerable weight in causing reclamation of back bay to be accepted as an integral and necessary part of any comprehensive plan of development."

Discussing charges of dishonesty, the Committee observe: On three occasions in Bombay we announced publicly our willingness to receive evidence from any one who could give us assistance upon any matters coming within our terms of reference. One of these matters undoubtedly was the conduct of officials of the Development Directorate in relation to the Reclamation Scheme. In March of 1925, Mr. Nariman stated in the Legislative Council that there were ugly rumours in the city that higher staffs of officers in the Development Directorate had been receiving secret commissions from manufacturers. It may be true that there were ugly rumours, but as far as our

enquiries into the affairs of the Back Bay Scheme have gone, there has not been very slightest evidence brought forward that these ugly rumours had any foundation. In fact, no one has brought any charge against any manufacturer of having given, or any official, high or low, of the Development Directorate of having accepted a commission. When Mr. Nariman gave evidence before the Committee, he did not disclose any fact which, in the least degree, implicated any one of wrong-doing of this character. There has not been throughout the whole of the enquiry the least suggestion that any one interested in supplying or ordering goods for reclamation or assisting in the work of reclamation has been guilty of any dishonesty of any kind whatever.

### The Recommendations.

After this criticism, the Committee lay down the following recommendations for future operations :—(1) For financial reasons, the completion of block 8 is a most urgent work. (2) Foreshore portion along blocks, 3, 4, 5 and 6 should be filled in to an average width of 300 feet seaward of the present shore line and brought up to the ground level of the reclamation strip and should curve at both ends so as to join on with block 2 at the northern and block 7 at the southern end. This should be done as speedily as possible. (3) Foreshore strip should be reclaimed with moorum filling. (4) A complete lay-out of the area to be reclaimed should be prepared. The foreshore strip should be developed as soon as completed and blocks, 1, 2, and 7, gradually as land is taken up. The lay out already prepared for the complete scheme (1,145 acres) should be re-examined with the help of a Committee and lay-out of the area now recommended for reclamation should fit in with the lay-out approved for complete reclamation, if ultimately undertaken. The Corporation of Bombay should share the cost of development and the Government should arrive at an understanding with the Corporation on this point. (5) Results of the work of "Sir George Lloyd" and "Colaba" during the current season should be verified. If the cost of filling by dredging approximates to that of moorum and the quality of the reclaimed land is satisfactory, they might be used for blocks 1 and 2 after block 7 is completed. If not they should be disposed of. Notice should not be given to the staff until this point is decided. (6) Reclamation should be removed from the control of the Development Directorate and carried out in accordance with one or other of the plans suggested in the report. A small Committee including one or two experienced engineers should be constituted to advise the Government on matters referred to them. (7) Work should, in future, as far as possible be carried out by contract agency. (8) Alternative estimates of the cost of the scheme now proposed are submitted. Extension of 300 feet foreshore strip by additional strips of 400 feet and 300 feet as need arises, is contemplated. Blocks 1 and 2 as being the most valuable in the whole project should be completed as soon as possible. No part of them should be assigned for recreation purposes. (9) Detailed revised estimates should be prepared at once. The form of tender issued by the Development Directorate should be revised. (10) Every endeavour should be made to complete the scheme proposed in three or four years. When a demand arises for completing the whole, reclamation work may be carried out by moorum filling exclusively.

# **The Cotton Textile Tariff Board's Report.**

The Cotton Textile Tariff Board's report and the Government of India's decision thereon were published on the 6th June 1927. The Board consisted of Mr. Noyce, President, Raja Harkishna Kaul and Mr. Subba Rao. The report is unanimous except for a point of importance regarding the nature and the extent of protection. The Government of India have in this respect rejected both the majority and minority views.

## **The Government of India's Resolution.**

The Government of India's resolution first surveys the Board's findings and then enunciates its decision. It states: "On the application of the Bombay Millowners' Association the Government of India appointed a special Tariff Board in June 1926 to investigate the condition of cotton textile industry, to examine the causes of depression and in particular to consider whether the depression is due to the competition of other countries. The Board was instructed to report whether the industry was in need of protection and if so in what form and for what period protection should be given. The Board was further instructed to make any other recommendations germane to the subject.

## **Japanese Competition.**

The Board has found that the present depression is largely due to causes which are not peculiar to India but are world-wide in their operation. In India itself, depression has been more acutely felt in Bombay than in other parts and the Board attributes this state of affairs partly to causes for which the mill-owners themselves are responsible, partly due to competition of mills in other parts of India and partly to competition from Japan. Under the first head stress is laid on the undue conservatism and insufficient diversification of production while the relative prosperity of mills in the other parts of India is ascribed mainly to natural advantages they possess, particularly in a lower rate of wages and also in their proximity to their markets and to areas from which they obtain their raw material. The Board has emphasised the importance of the increasing competition of mills in other parts of India as a menace to the industry in Bombay and considers that it constitutes a problem not less urgent than that which arises from competition from abroad. The Board has found that competition from abroad from which the Bombay mill industry is suffering is from one country only. It was not contended by the Bombay Millowners' Association that either the volume of imports from the United Kingdom or the prices at which they were sold had in any way been a contributing cause of the present depression. In regard to imports from all countries other than Japan, the Board has found that there has been no change to the disadvantage of India as compared with the pre-war position.

On the other hand Japanese competition is severely affecting the industry in respect both of yarn and piecegoods and in so far as this competition is facilitated by inferior conditions of labour in Japan the industry has in the Board's view established its claim to protection against it. The

inferior conditions, particularly referred to, arise from the provision of Japanese Factory Law which permits the employment of women by night and thereby enables Japanese mills to work double shifts. The advantage to Japanese mills in the actual cost of manufacture according to the Board's estimate is about 4 per cent on both yarn and cloth; but if a reasonable return on the capital is included in the cost of protection the advantage increases to 10 per cent on yarn and 12 and a half per cent on cloth. The Japanese mills will, the Board thinks, retain their advantages until a date when the amended Factory Law comes into full operation which is expected to be the 1st of July 1929 and in that case any influence on the market of the stocks accumulated before that date should have disappeared by the end of the official year 1929-30.

All the findings of the Board which have been mentioned are unanimous, except as regards the estimated advantage to a Japanese mill working double shifts if a fair return on the capital is included in the cost of production.

#### Board's Recommendations.

In addition to a number of detailed recommendations directed towards the improvement of the internal organisation of the industry the Board has made two important recommendations designed to assist the industry in securing a greater diversification of production and to stimulate a larger output of goods of higher quality. The first is the establishment with financial assistance from the Government of combined bleaching, dyeing and printing works at Bombay. The recommendation is unanimous.

The second which is put forward by a majority of the Board is for payment for period of four years of a bounty of one anna per pound or its equivalent on the production of yarn of 32s and higher counts. Based on the output of an average of 15 p. c. of the total working spindleage in a mill, the cost of this bounty is estimated to be about 30 lakhs of rupees per annum. The President of the Board, Mr. Noyce, dissents from this recommendation. A majority of the Board has proposed that import duty on cotton piecegoods should be increased from 17 to 18 per cent for a period of three years. The primary object of this increase is to provide funds to meet the cost of the proposed bounty of spinning of finer counts and certain other proposals made by the Board but it will also serve to reduce the rigour of competition from Japan from which the industry suffers. No increase in duty on yarn is recommended by the majority in view of the effect that such a measure might have on the handloom industry. The President of the Board, Mr. Noyce, does not consider that an all-round increase in import duty on piecegoods can be justified but has recommended that an additional duty of 4 per cent. should be imposed on all cotton manufactures including yarn imported from Japan for a period of three years.

#### Government's Decisions.

The Board has proposed several other measures for the assistance of the industry by the Government. Most of these are under separate consideration and only one can be mentioned here. The Board has unanimously recommended the remission of import duty on cotton textile, machinery and on certain mill stores for a period of three years after which the question of continuing the remission would be considered in the light of the conditions then existing. The loss of customs revenue from this remission

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according to the Board's estimate is about 50 lakhs of rupees per annum. Finally, the Board emphasises its view that State aid and changes in the Tariff which it has proposed can in themselves prove no more than palliatives and would indeed fail in their purpose if they did not succeed in stimulating and encouraging the industry to undertake reorganisation and effect economies on lines suggested. The Government of India are unable to accept the recommendation of the majority of the Board that spinning of higher counts of yarn should be stimulated by the grant of a bounty. They are satisfied that the administrative difficulties in the working of a scheme of the kind proposed are insuperable and they agree with the view expressed by the President of the Board (Mr. Noyes) that a long established industry such as the cotton textile industry in Bombay should need no stimulus at the cost of general tax-payers nor that such a development is in its own interest.

As regards the proposal that the Government should contribute towards the cost establishing combined bleaching, dyeing and printing works in Bombay the Government of India are unable to express any opinion until they have ascertained the views of the Local Government and of the cotton mill industry in Bombay and elsewhere. Rejection of the proposed bounty on spinning of finer counts removes the principal reason advanced by the majority of the Tariff Board for general increase in import duty of cotton piecegoods. The Government of India are also satisfied that on the facts as found by the Board no case has been established for a general increase in duty as a measure of protection.

The Government of India accept the finding of the Board that the advantage to Japan resulting from labour conditions in that country until an amended factory law comes into full operation in actual cost of manufacture would not be assisted at about 4 per cent on both yarn and cloth. In making this calculation the Board has allowed for the fact that double shifts are universal in spinning mills in Japan but not in weaving mills in which average hours worked are only 14-15 hours, but the majority of the Board omitted to make a corresponding allowance when calculating the advantage if a reasonable return on the capital is included. Hence the advantage to Japan when calculated on this basis should be 10 per cent on cloth and not 13 and a half per cent as stated by the majority of the Board. It follows that the advantage to Japan even if a reasonable return on the capital is included is already sufficiently covered by the existing revenue duty of 11 per cent on cotton piecegoods. No additional duty on this account can, therefore, be justified. The existing revenue duty on yarn is only 5 per cent and in this case if this calculation of the majority is accepted the advantage to Japanese mills is not fully covered but an additional duty on yarn only would affect prejudicially the handloom industry and for this reason should not be imposed.

Removal of import duty on machinery and on materials of the industry was recommended by the Fiscal Commission and is in accordance with the principle of the resolution adopted by the Legislative Assembly on the 10th February, 1923, that the fiscal policy of the Government of India may legitimately be directed towards fostering the development of industries in India.

In giving effect to this principle as revenue considerations permit, the Government of India are prepared to give precedence to articles used chiefly

by the industries which are passing through a period of depression but they would be unwilling to differentiate between industry and industry by allowing one industry to import free of duty articles on which other industries have to pay duty. The Government of India have decided therefore to deal on these lines with the recommendation of the Board that the import duty on cotton textile machinery and mill stores should be remitted for a period of three years.

#### Forthcoming Legislation.

The Government of India will introduce legislation at the next session of the Indian Legislature to remove altogether with effect from 1st October 1927 duties on the following articles:—“All machinery and component parts of machinery as defined in items No. 51-A and 51-B of Import Tariff Schedule (schedule 2 to the Indian Tariff Act 1894), aniline and alizarine dyes, bleaching powder and paste, farina, china clay, sago flour, magnesium chloride, starch, tallow and cotton ropes. It is estimated that the consequent loss of customs revenue will be 45 lakhs of rupees in 1927-28 and 85 lakhs in a full year. The removal of duty on machinery is subject to the provision that it may be necessary to reimpose an import duty on particular kinds of machinery, if it appears on a report by the Tariff Board that it is desirable to encourage the manufacture in India of such machinery and that a protective duty is required for that purpose or that the imposition of a duty is necessary in order to secure equality of tariff treatment and remove a handicap under which the manufacture of such machinery in India would otherwise suffer.

The remaining recommendations of the Board in so far as they concern the Government are under consideration.”

#### Conclusions and Recommendations.

The following is a summary of the conclusions and recommendations of the Board:—

##### CHAPTER II.

(1) The most striking feature in the history of the cotton textile industry in India from 1899 to 1912 is the expansion in every direction especially in weaving (para 7.)

(2) Other important features in the history of this period are the loss of the export trade in yarn, the gradually decreasing dominance of Bombay and the increasing share of Japan in the import trade (para 7.)

##### CHAPTER III.

(3) The present depression in the cotton textile industry had been and is much acutely felt in Bombay than in other centres (para 12.)

(4) The mills which have spinning departments only have been affected to a greater extent than mills which have both spinning and weaving departments (para 12.)

(5) The demand for protection has not been as earnestly pressed from other centres as from Bombay and Ahmedabad (para 12.)

##### CHAPTER IV.

(6) The altered relation between American and general prices since 1920 has contributed to the depression in the industry (para 14.)



(7) The boom and the depression in India have presented all the features which characterises a trade cycle (para 15).

(8) The course of American cotton prices has contributed to the depression in the industry (para 16).

## CHAPTER V.

(9) The competition of Japanese yarn exercises a depressing effect on the price of Indian yarn (para 20).

(10) Japanese yarn of 32s. is being sold at a price which is practically equal to the cost of manufacture alone of yarn of this count in India without any allowance for profit or depreciation (para 20).

(11) In cloth of the lower counts, that is, in drills and sheetings, Indian mills are able to hold their own and it is, therefore, doubtful whether the Japanese imports in these lines control prices in India (para 26).

(12) In cloth of counts of 30s. and above, the cost of manufacture alone in Indian mills is either practically equal to or higher than the Japanese sale price and Japanese competition, therefore, exercises a depressing effect on the prices of Indian mill production (para 26).

(13) The depreciation of the Japanese exchange, while it lasted, stimulated exports from Japan to India but Japan now enjoys no special advantage in regard to exchange (para 30).

(14) Double shift working in Japan gives the Japanese industry an advantage of 4 per cent on the actual cost of manufacture both of yarn and cloth. This advantage is considerably increased if a reasonable return on capital is included in the cost of production (para 32).

(15) It does not appear that mills in Japan can, as a rule, obtain higher prices in the home market than they can from exports and a charge of dumping in the usual sense of the word cannot, therefore, be substantiated (para 34).

(16) Conditions of labour in Japan are inferior to those in India in respect of hours and the employment of women and juveniles at night (para 35).

(17) It must, therefore, be held that there is unfair competition between Japan and India, and that this competition is an important cause of the present depression in the cotton textile industry (para 35).

## CHAPTER VI.

(18) The stabilisation of the rupee at 1s. 6d. coming as it does at a time of falling prices, has rendered the problem presented by the disparity between prices and wages in the industry somewhat more pronounced (para 38).

(19) Over-capitalisation has contributed to accentuate the depression in Bombay (para 39.)

(20) The dividends paid by the Bombay industry during the boom period were unduly high (para 40.)

(21) Except to the extent that defects in the managing agency system such as undue conservatism and lack of initiative have contributed to the present depression that system cannot be held to be responsible for the existing conditions (para 41.)

(22) The use of inefficient machinery cannot be held to have affected the industry to any appreciable extent (para 42).

(23) Difficulties in arranging finance both by mills and dealers in piecegoods have contributed to accentuate the depression (para 43).

## CHAPTER VII.

(24) The loss of the China trade in yarn is an important cause of the present depression in Bombay (para 44).

(25) The loss of the export trade in yarn has not been compensated appreciably by an increase in the export of piecegoods (para 45.)

(26) The increasing competition of mills in Ahmedabad and other centres is also an important cause of the present depression in Bombay (para 46.)

(27) Greater attention to diversification of production, more direct contract with consuming centres and greater alertness on the part of commission agents would to some extent have mitigated the severity of the depression in Bombay (para 47.)

(28) The depression in India has not been accompanied by any decrease in production but over-production cannot be held to be a cause of the depression (para 48.)

(29) Labour costs in Bombay are markedly higher than those in other centres (para 49.)

(30) High labour costs in Bombay cannot be held to have caused the depression but they have undoubtedly accentuated it (para 49.)

(31) High local taxation has added to the difficulties caused by the depression in Bombay (para 50.)

## CHAPTER VIII.

(32) Examination of the figures of cost of production in the various centres shows that by far the greatest disability in costs of manufacture from which Bombay suffers in comparison with Ahmedabad and other up-country centres is in its high cost of labour (para 52.)

(33) Bombay is under substantial disadvantages as compared with other centres in regard to cost of fuel and power, cost of water and higher local taxation, but these appear to be rather more than offset by advantages in regard to cost of stores, of insurance and of office expense (para 52.)

(34) In regard to supplies of raw material the balance of advantage as compared with other centres is on the whole, against Bombay (para 53.)

(35) Proximity to local markets is a factor which operates appreciably to the benefit of the mills in upcountry centres (para 53.)

## CHAPTER IX.

(36) To the extent that the depression in the cotton textile industry in India is the outcome of the cyclical character of trade, it is not of a permanent nature (para 53.)

(37) It is impossible to express a definite opinion as to how far foreign competition can be regarded as a permanent cause of depression (para 53.)

(38) The loss of the China trade in yarn must be regarded as a cause of depression which is of a permanent character (para 53.)

(39) When the increasing competition with the Bombay industry of Ahmedabad and other upcountry centres is a temporary or permanent

cause of depression must depend on the steps taken by the Bombay industry to meet it (para 53).

(40) In regard to the purchase of raw material in Bombay, a single hedge contract is the ideal to be aimed at but, in the meantime, proposals on the lines of the scheme put forward by Messrs. Forbes, Forbes, Campbell and Company for reducing the number of the existing hedge contracts and widening their scope should again be placed before the Representative Committee of the East India Cotton Association (para 55).

(41) Managing agents would be well advised to employ brokers who do not operate on their own account and who are not themselves in actual possession of cotton (para 55).

(42) No economies in the cost of fuel and power appear possible in Bombay (para 56).

(43) A further reduction in the charge for water in Bombay is desirable (para 57).

(44) Managing agents should exercise the closest supervision over all purchases of stores (para 58).

(45) The only alternative to a reduction in wages in the Bombay mill industry is increased labour efficiency and it is in this direction that the true lines of advance lies (para 59).

(46) The general adoption in Bombay of the system of maintaining a labour reserve to provide against absenteeism is desirable (para 60).

(47) The piecework system should be extended to spinners in Bombay and should be accompanied by an increase in the number of spindles allotted to each spinner (para 61).

(48) The disparity between the wages of spinners and weavers is a matter which demands the attention of the industry (para 61).

(49) An increase in the number of looms attended by a weaver would tend to economy and give increased earnings to the weaver even when accompanied by a slight reduction in rate (para 61).

(50) Economies similar to those suggested in the spinning and weaving departments can be effected in the preparatory departments (para 61).

(51) If the efficiency of operatives is to be improved, it is essential that there should be an improvement in the standard of efficiency of jobbers (para 61).

(52) Increased efficiency cannot be expected from operatives unless they are provided with suitable raw material. The existing tendency to spin higher counts of yarn than the quality of the cotton warrants causes breakages and increases the work of the spinner and the weaver (para 61).

(53) The fixation of a definite period of rest to enable operatives to take their morning meal is desirable (para 62).

(54) Labour should be recruited directly by the officers in charge of the department of the mill which requires it or by a responsible assistant and not by the jobber (para 63).

(55) The practice of compelling weavers to take over cloth spoilt by defective workmanship at its full value should be abolished (para 64).

(56) Fines levied should be used for the benefit of the operatives as a body (para 64).

(57) The standardisation of wages throughout the Bombay mill industry would undoubtedly strengthen the position of the industry. A suitable

scheme could only be drawn up in consultation with the representatives of labour (para 65).

(58) Blocks of the chawls built by the Bombay Development Department might be taken over and administered by groups of mills or by the Bombay Millowners' Association as a body (para 66).

(59) The town duty of one rupee per bale should be reduced to eight annas per bale on all cotton consumed by the Bombay mills (para 66).

(60) More attention to welfare work on the part of the Bombay mill industry is desirable when financial conditions permit (para 67).

(61) Certain alterations in the courses in cotton textiles in the Victoria Jubilee Technical Institute are desirable (para 68).

(62) The provision of more facilities for technical education of mill-operatives especially jobbers is essential to any improvement in efficiency. The early establishment of Trade Schools in Bombay is, therefore, desirable (para 68).

(63) The preparation and distribution of technical handbooks, in the vernacular, plentifully illustrated and drawn up on suitable lines, for the use of jobbers and operatives should be undertaken (para 68).

(64) The high labour costs in Bombay cannot be reduced by the introduction of the Northrop looms but the experiments with the Whittaker attachment should be continued (para 69).

(65) Bombay is not a suitable centre for the adoption of the double shift system since the city is already very congested and the presence of the additional labour force which would be required would increase this congestion (para 70).

(66) The desirability of imposing additional assessment on 'toka' lands in graduated stages when the present assessment expires should be considered (para 72).

(67) The Bombay Millowners' Association should consider the possibility of undertaking fire insurance for its members (para 73).

(68) No economies under the head of technical and supervising staff can be suggested but the proper training of such staff should be insisted on in all cases (para 74).

(69) Depreciation including any amount which may be in arrears, should invariably be regarded as a first charge on profits (para 75).

(70) Mill stocks should in all cases be checked at audit (para 76).

(71) The practice of employing an auditor who is related to the managing agent is open to objection and should be discontinued (para 76).

## CHAPTER X.

(72) The Bombay Millowners' Association should take immediate steps to obtain a full range of samples and to maintain a full record of prices of all imported cotton manufactures which compete with Indian goods (para 77).

(73) The Bombay Millowners' Association should constitute sub-committees to deal with questions relating to export and home markets, finance, labour, registration of labels and numbers, supply of raw material and woollen mills (para 77).

(74) Combined action should be taken by the Millowners' Associations and other bodies interested to ensure that the quality of cloth sold under a particular number is maintained (para 78).

(75) At least one member of each firm of managing agents should have received technical training (para 79).

(76) The practice of investing the surplus funds of mills with firms of shroffs is undesirable and should be discontinued as should that of lending the funds of one concern to another under the same managing agency (para 79).

(77) Writing down of capital in the Bombay mill industry is a matter which calls for further attention (para 80).

(78) Bombay should utilise to the full its natural advantages in the matter of climate and situation for the production of goods of higher counts than it has done in the past (para 81).

(79) The difficulties in regard to suitable raw material are not insurmountable, and can be overcome temporarily by greater use of American and African cotton (para 81).

(80) The charges levied for fumigation are a handicap to the use of American cotton (para 81).

(81) In a great expansion in the Bombay mill production of bleached coloured, dyed and printed goods lies one remedy for the depression in the industry in Bombay (para 82).

(82) There is no reason why the printing industry should not be successfully established in India, provided the operations are on a sufficiently large scale, and the latest developments in technique, are utilised to the full. It is necessary, therefore, that the matter should be taken up by a combination of mills (para 82).

(83) A large factory for combined printing, bleaching and dyeing should be established in or near Bombay and there would seem to be great advantages for placing it at Ambernath (para 83).

(84) Greater attention to the quality of production is desirable (para 83).

(85) The practice of selling yarn under double numbers is undesirable, and should be discontinued (para 83).

(86) Both the system of sales on commission and that of selling through the mills' own shops have advantages and it is not possible, therefore, to say which is preferable (para 84).

(87) Representatives of mills should visit the consuming centres from time to time in order to acquaint themselves closely with the character of demand (para 84).

(88) The Bombay Millowners' Association should arrange for trade correspondents in the principal consuming centres (para 84).

(89) Managing agents should not act as guarantee brokers for the mills they control (para 84).

(90) It is desirable that the finance of the cotton industry should be investigated and that an enquiry into the possibility of introducing the warehouse system into India should form part of this investigation (para 85).

(91) The development of the export trade of Bombay would be a valuable means of relieving the depression (para 86).

(92) Coloured and dyed goods form the largest part of the exports of piecegoods and further expansion of this side of the Bombay industry would therefore, strengthen its position in the foreign market (para 86).

(93) It is essential to the development of the export trade of Bombay that adequate information regarding foreign markets should be available and that the industry should be in a position to utilise it (para 86).

(94) The industry should examine the feasibility of a combination of the mills interested in the export trade for the purpose of arranging such details as manufacture of lines required, allocation of quantities among the members and prevention of imitation of marks and numbers (para 86).

(95) The statistical information regarding the industry should be improved in certain respects (para 87).

## CHAPTER XI

(96) High protective duties on the scale advocated by the Bombay and Ahmedabad Millowners' Association cannot be justified (para 90).

(97) The claim for a protective duty of  $4\frac{1}{2}$  per cent to enable the Indian mill industry to make provision for depreciation of plant and machinery cannot be admitted (para 91).

(98) No justification exists for a differential duty against Japan on the ground of depreciated exchange (para 91).

(99) The case for a small all round increase in the import duty on cotton manufactures other than yarn is strengthened by the undoubted temporary handicap imposed on the industry by the stabilisation of the rupee at 1s. 6d. (para 91).

(100) A moderate measure of protection both for yarn and cloth can be justified for such period as labour conditions in Japan continue inferior to those in India (para 92).

(101) An additional duty on yarn is undesirable in view of its effect on the handloom industry (para 92).

(102) A differential duty against Japan is undesirable (para 92).

(103) The proposal to give protection against unfair competition from Japan in the form of specific duties levied on the class of goods which are in the main imported from that country is open to several objection and cannot be supported. Protection to the industry should therefore, be given in the form of an addition to the present duty on all cotton manufactures other than yarn (para 92).

(104) No justification for an export duty on cotton can be established (para 93).

(105) The concession of free entry enjoyed by cotton mill machinery and mill stores prior to 1931 should again be granted (para 94).

(106) The most satisfactory method of working the concession so far as stores are concerned would be to grant total exemption from stores which can only be used in the mill or handloom industries and to exempt other stores from duty if imported direct by a mill or to grant a refund on them when they are purchased from "stockist." Two lists have been drawn up accordingly (para 94).

## CHAPTER XII.

(107) A stimulus to the production of goods of higher quality can best be given in the form of a bounty on the spinning of higher counts of yarn instead of by an additional import duty on yarn (para 96).

(108) A bounty of one anna per pound, or its equivalent on yarn of 32S and higher counts, based on the production of an average of 15 per cent of the total working spindleage in a mill in British India would meet the situation (para 97).

(109) The operation of the bounty should be limited to four years (para 97).

## CONCLUSIONS AND RECOMMENDATIONS

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(110) The bounty should be limited to the production of 15 per cent. of the spindleage in any mill and would not be given unless the total spindleage employed on higher counts exceeded 7 and a half per cent. and the average count spun was not below 34<sup>2</sup> (para 97).

(111) One great advantage of this scheme is that the position of the handloom industry will not be affected (para 97).

(112) As the majority of Indian mills have both spinning and weaving departments, the absence of protection for the lower counts of yarn is compensated by the additional all round duty on cloth. Contingencies may arise in which an additional duty on yarn would be justified (para 98).

(113) If a satisfactory scheme for a combined bleaching, dyeing and printing plant can be put forward by the Bombay mill industry, assistance from Government should be given (para 99).

(114) No justification can be established for the grant of export bounties (para 100).

(115) Two Trade Commissioners should be appointed, one at Basra and one at Mombasa (para 101).

(116) Before Trade Commissioners are appointed for other countries, a rapid survey of the potentialities of the markets in those countries should be undertaken by a small mission (para 101).

(117) It is most important in the interests of the Bombay mill industry that it should have its own representatives in the principal export markets. Expenditure by the Bombay Millowners' Association in this respect should be supplemented for four years by the grant of an equal amount from Government up to a maximum of Rs. 25,000 annually (para 101).

(118) The question of subsidising shipping freights should be investigated by the Trade Commissioner and by the commercial mission suggested in (116). Combination on the part of the Bombay Millowners' Association would place it in a much stronger position to negotiate with shipping companies (para 102).

(119) The difficulties in applying a policy of discrimination in regard to railway freights to the cotton textile industry are insuperable (para 103).

(120) Specific complaints in regard to inequalities of railway freights are a matter for investigation by the Railway Rates Advisory Committee (para 103).

(121) The existing facilities in the matter of railway sidings in Ahmedabad are sufficient (para 104).

(122) The charges for the fumigation of American cotton entering India are levied in the interests of the cultivators of cotton should be borne by general revenue (para 105).

(123) No case has been made out for the abolition of company supertax (para 106).

(124) The cost of those proposals which involve expenditure should be met by an additional import duty of four per cent. on all cotton manufactures other than yarn (para 107).

(125) This duty should be imposed for a period of three years (para 107).

## CHAPTER XIII.

(126) No justification has been established for the special treatment of the hosiery industry (para 109).

(127) The abolition of the duty on yarn of counts above 40s. or the

grant of a rebate of the duty to mills using such yarn cannot be supported (para 110).

In conclusion, the majority of us wish to express our deep regret that we have been unable to obtain the President's support for our scheme of a bounty on the spinning of yarn of higher counts. We wish to emphasise that this is the only point of importance on which there is any difference of opinion between the Members of the Board and that in every other respect, apart from one or two matters of analysis or calculation, there has been complete unanimity which has found expression in the presentation of a single Report. We would also like to express our sense of obligation to the President for helpful discussion in the drafting of that part of the Report with which he finds himself in disagreement.

#### Changes in Tariff.

The changes in the tariff which were suggested to us were three in number: additional import duties on yarn, piecegoods and other cotton manufactures, an export duty on raw cotton, and the abolition of the duty on mill machinery and mill stores. We proceed to examine these suggestions.

We received much evidence in favour of the imposition of additional import duties on cotton manufactures but, apart from those which were put forward on behalf of the hosiery industry which we deal with elsewhere, the only definite suggestions which we deem it necessary to discuss came from the representatives of the industry in Bombay and Ahmedabad. The proposals put forward by the two Millowners' Associations were not, however, in close agreement nor were they advanced on the same grounds. In their original representation, the Bombay Millowners' Association asked for "a scientific tariff so that the goods which Indian mills can manufacture and supply to India shall not be open to unfair competition from foreign competitors." They went on to state that the industry required, "in order to place it in an equal position with foreign countries in respect of the cost of manufacture, additional protection equivalent to 13 per cent and further additional protection to enable the mills to make the necessary allowances for depreciation to plant and machinery." This 13 per cent was based on the 8 per cent advantage which it was held that Japan possessed on the ground of depreciated exchange and on 5 per cent advantage due to inferior labour conditions. The additional protection asked for to enable provision to be made for depreciation was subsequently placed at 4 and half per cent so that the total demand was for 17 and half per cent. In their reply to our questionnaire, the Association explained that by "scientific tariff" they meant a fixed duty per pound on the different classes of cotton goods imported into India and that they had in mind a tariff somewhat similar to that in force in Japan. They considered "that a heavy duty should be levied on coarse goods and lower counts of yarn, a moderate duty on medium classes of goods and a low duty on the present rate on higher counts and on special types of goods which cannot be manufactured in India economically." In the course of their oral examination, the representatives of the Association elaborated their position and explained that the increased "ad valorem" duty of 17 and a half per cent and the scientific tariff were alternative suggestions and that if the scientific tariff were adopted in preference to the 17 and a half per cent "ad valorem" duty the specific duties imposed under it on certain classes of goods would require to be much heavier.



The concern of the Bombay Millowners' Association was with protection against what they regarded as unfair competition. The Ahmedabad Millowners' Association went further. In their reply to our questionnaire, they asked for a substantial increase in the import duty on cloth and yarn up to 40s counts, a moderate increase for counts up to 60s and little or no increase on counts above 60s. In their oral examination, they explained that they asked for increased duties on all imported yarn, both and other manufactured goods and justified the extension of their demand beyond that put forward by the Bombay Millowners' Association on the ground that the additional duties proposed would enable the Indian mill industry to establish itself firmly in the spinning of higher counts of yarn and the manufacture of cloth therefrom. In the course of their oral examination, their representatives also changed the character of their demand slightly and asked that the higher duty should be imposed at a uniform rate on all counts of yarn up to 60s and on cloth manufactured therefrom, the duty on yarn and cloth above 60s. to be such duty as was required for revenue purposes.

We have before us, therefore, three different proposals, two emanating from the Bombay Millowners' Association and one from the Ahmedabad Millowners' Association. These are:—

(1) Additional duties to the extent of 17 and a half per cent on cotton manufactures imported from countries from which there is "unfair" competition.

(2) Specific duties of amounts not specified on all imported goods of low, medium and higher counts respectively but which would work out on certain classes of goods at a higher rate than the ad-valorem duty.

(3) Additional duties to the extent of 12 and a half per cent on all cotton manufactured goods of counts up to 60s. from whatever country imported and lower duties on those of counts above 60s.

Before we proceed to examine in detail the grounds on which the Bombay Millowners' Association have sought to justify the imposition of the additional duties they suggest, it is necessary that we should consider, in their broader aspects, the problems involved in the levy of duties at the rates suggested by the two Associations, in other words, the general effect of high additional duties on the future course of prices and the development of the industry.

#### Effect of High Additional Duties.

The first of the three proposals set forth above is that an additional duty of 17 and half per cent should be levied on all imports from foreign countries from which there is "unfair competition." The duty would thus be a differential duty on a comparatively small portion of the imports even if it were decided, in order to avoid the difficulties arising from the existence of the Anglo-Japanese Convention of 1905, to extend it to all countries outside the British Empire. It is unnecessary to enter in any detail into analysis of the working of such a duty and it will suffice to state the conclusion that a differential duty on a relatively small portion of the supply does not bring about an increase in price, over the whole supply unless, and the reservation is of the greatest importance in the present connexion, prices before the levy of the duty have not been such as to yield an adequate return to the industry. If, on the other hand, as is claimed, prices have been forced below the cost of production of efficient mills by

the pressure of unfair foreign competition, the levy of a differential duty against the countries from which such competition comes should raise them to a level which is, at any rate, sufficiently high to meet the expenses of production. The extent of the rise will depend on the extent to which it corrects the unfair advantages enjoyed by foreign competitors. To the extent of that rise, it involves a burden on the consumer but it cannot be considered an undue burden since no industry can be expected to suffer continuous losses in his interests. Dumping and depreciated exchange were held by the Indian Fiscal Commission to constitute unfair competition against which Indian industry was justified in seeking protection beyond that afforded by any existing revenue duties. The case of unfair labour condition was not specifically considered by the Indian Fiscal Commission but it appears to us to fall within the same category. We hold that an industry may legitimately ask the State to assist it to revert to what may be regarded as normal conditions of business and that the consideration of decisive importance is, therefore, the correctness of the analysis of the situation and the accuracy of the estimates of the disadvantages to which the industry is subjected by unfair competition. It should be pointed out that, even if no counter-vailing duty is levied a rise in price is inevitable since, unless Japan is able to supply all the requirements of India at the low prices at which she is able to supply part of them, it is to her interest, once she has established herself in the Indian market, to allow prices to rise to the level at which other competitors can sell without loss but which would yield her larger profits. A rise of prices in this way would, however, be far more gradual than that which follow the imposition of a differential duty and in the meantime serious and perhaps lasting damage might have been inflicted on the home industry. From the point of view of the consumer therefore the imposition of a differential duty against unfair competition merely hastens the rise in prices which would, in any event, be brought about by the play of normal economic forces.

The proposed specific duties stand on a different footing. They are intended to secure in an indirect way what a duty on all classes of goods imported from Japan would secure in a direct way. We shall deal subsequently with the administrative and technical difficulties which militate against the resort to such duties, whether for revenue or protective purposes, but would here draw attention to some considerations which we regard as of very great importance. While the objective of duties imposed on the basis advocated by the Bombay Millowners' Association might be the imports from one country only, the duties would affect the imports from all countries alike. Heavy duties on coarse cloth and lower counts of yarn and moderate duties on medium classes of goods would cause a rise in prices of all such goods entering India. The rise in prices would thus be both more immediate and higher than would be effected by duties levied against the imports from a particular country only. The only safeguard to the consumer would lie in the operation of internal competition and the operation of this factor would be impeded by the virtual monopoly in the coarser and medium goods secured by the heavy duties on them. The burden on the consumer would thus be heavy and of considerable duration and the only justification for it would lie "in the educative influence which may be brought to bear on the industrial classes of a nation to devote their energies to tasks for which they have adequate resources and opportunities but in which they nevertheless lag

hind the best practice that can be found elsewhere (Dr. Marshall)." There is, unfortunately, no reason to believe that any development in this direction would follow. We have stated elsewhere our view that it is essential to the recovery of the Bombay industry that there should be greater diversification of production and a development of the spinning of higher counts of yarn. Both the form and magnitude of the specific duties suggested would retard rather promote such a development as they would place a premium on the spinning of the lower counts and the manufacture of cloth from them. They would, therefore, in no case, benefit the Bombay industry which stands in the greatest need of assistance, for they would not help it in its competition with the upcountry mills. The result of such duties would be to impose a burden on the consumer of the coarser goods who is obviously least able to bear it in order to enable the industry to persist in unprogressive lines of production and that too at a time when it is the contention, even of those who advocate the duties, that his purchasing power has been reduced.

The proposals put forward by the Ahmedabad Millowners' Association differ from those examined immediately above in that they do not favour the production of coarser goods to the disadvantage of those of medium counts and are indeed put forward in the expectation that the change to medium counts would be stimulated by the imposition of the duties they propose. The difference is, however, one of degree rather than one of principle. If there is no differentiation in the treatment of coarse and medium goods, it is not to be expected that a development in the production of the latter which has been under discussion for a long time past without any appreciable results will come about. The objections to specific duties apply equally to these proposals.

Exception may be taken to the presentation of the case which has been put forward above on the ground that, while the specific duties have been proposed either solely or mainly to protect the industry against unfair foreign competition we have applied a test which is irrelevant in this connexion, that of the greater diversification of the industry. So far as the Ahmedabad Millowners' Association are concerned, however, the view was distinctly put forward that the additional duties were required even more for the promotion of greater diversification than for protection against unfair foreign competition. There is a further answer that, in view of the heavy burden likely to be imposed on the consumer, protection on the scale asked for can only be legitimately demanded by an infant industry.

It may further be urged that we have exaggerated the extent and duration of the burden to the consumer as internal competition would operate to prevent any rise in prices beyond the level of normal expense of production including a reasonable return on capital. This view was placed before us both by the representatives of the industry and by other witnesses. It is a view which is widely held and is not without theoretical justification if long period results alone are considered. It is a valid argument that, given immunity from foreign competition, the home producer will at first reap the benefit of prices raised almost to the extent of the additional duty but that the prospect of such prices will induce increased production both by those already in the field and by those attracted to the industry by the expectation of high profits. In consequence, prices will again be lowered by competition among the producers to the level at which they only cover costs of production including the reasonable return on capital which it is the

presumption that at the earlier level of lower prices brought about by unfair foreign competition they did not do. But while the high duties are proposed avowedly on the ground that only then will conditions be equalised, the argument implies that the lower level of prices brought about by internal competition will still be sufficiently high to compensate producers. In other words, either it is sought to place on the consumer at the outset a larger burden than is justified or the industry will, as soon as internal competition lowers the level of prices, be no better off than it was before the duties were imposed.

A further objection to protection on the scale proposed by the representatives of the industry is that whilst, on the one hand it would encourage additional production, on the other, it would restrict consumption. The problem before the Indian mill industry and especially the Bombay section of it is to secure increased consumption and not merely to make higher profits on restricted sales. The Bombay Millowners' Association in their original representation have expressed the view that enhanced import duties would not raise the prices to the consumer as internal competition between the mills in India would establish 'equitable' prices. We have examined this aspect of the question above. They further maintain that the enhancement of the import duties on cotton manufactures other than yarn to 11 per cent in 1921 did not raise the price of cloth or check its consumption. It is impossible to disentangle the effect of an increased duty on prices or on consumption especially where, as in the case of cotton textiles, so much depends on other factors such as the cost of raw material in respect of prices or the presence or absence of a good monsoon in respect of consumption. But it is axiomatic that, other things being equal, the effect of an increased duty must be to enhance prices and that the effect of increased prices is to restrict consumption. The figures of consumption per head of cloth which we give in Appendix IV throw some light on this as they bring out very clearly the extent to which high prices restricted consumption, from 1917 to 1923, and especially in 1919-20. It is difficult to draw a definite conclusion from the figures for the last four years but it is noteworthy that the consumption of cloth per head in 1924-25, 15'01 yards, was higher than in any year since 1923-24 and that allowing for the slight corrected required owing to the absence of figures for exports by land for 1925-26 it is higher in 1925-26 than in any pre-war year, with the exception of 1912-13 and 1913-14 when imports were unusually high owing to the abundance and low prices of American cotton. Although prices in 1924-25 were slightly higher than in 1923-24, the average prices longcloth being 11'16 annas per pound in the former year against 21'52 annas in the latter the consumption per head in the latter year was 15'01 yards against 12'12 yards in the former. This can be accounted for by the fact that 1924-25 followed a long series of years in which prices had been high and consumption below normal and also that the decline in prices which has continued ever since set in August of that year. The figures appear to show that the recent decline in prices has stimulated consumption a movement which an increase in import duties would undoubtedly check.

Our President desire to make it clear that, while he is in entire agreement with the views expressed above, he wishes this part of the chapter to be read in the light of the remarks in his minute of dissent.

The grounds urged in favour of high Additional Duties.

We now proceed to examine the grounds on which the Bombay Mill-owners' Association have put forward a claim for 17 and half per cent protection against foreign countries, the imports from which compete unfairly with Indian manufactures. The claim for a 4 and half per cent duty to enable Indian mills to make the necessary allowance for depreciation of plant and machinery can be dismissed very briefly. Depreciation charges are obviously as much a cost of production in the country against which protection is sought as they are in this country and an enhancement of protection to enable provision to be made for them as well as on the ground that costs of production, owing to unfair competition, are lower elsewhere than they are in India would obviously mean that they would be allowed for twice over. No claim for protection to enable this provision to be made can, therefore, be admitted.

The Bombay Millowners' Association claimed a protective duty of 8 per cent on the ground of depreciated exchange. It is unnecessary to examine the basis of the calculations on which this claim was made since, as we have pointed out in paragraph 30 any advantage which Japan possessed owing to a depreciated exchange has disappeared with the restoration of the yen to its gold parity and any disadvantages to which the industry may be subjected from the stabilisation of the rupee at 1s. 6d. are therefore not confined to imports from Japan. In paragraph 38, we have discussed the extent of these disadvantages and have stated our conclusion that the stabilisation of the rupee at 1s. 6d. coming as it has done at a time of falling prices, has rendered the problem presented by the disparity between prices and wages in the cotton textile industry more pronounced. That foreign competition may be intensified in such circumstances until prices and wages adjust themselves to the altered ratio is an economic truism. A number of countries have enacted tariff legislation to safeguard home industries against unfair competition arising from the depreciated currencies of competing countries. The validity of the principle underlying such legislation was admitted by the Indian Fiscal Commission who suggested the insertion in the legislation against dumping, which they proposed, of a clause on the lines of the provision in the Australian Act which would in their opinion prove an ample safeguard against any dangers that might be anticipated from exports from a country with a depreciated exchange.

It was held by many witnesses before us that if the validity of the argument for protection against countries with a depreciated exchange is admitted a similar argument must be held to apply to a rise in exchange to which internal prices and wages have not been adjusted. We have pointed out elsewhere that the direct disadvantages to the cotton industry have been estimated at between four and six per cent, according to the price of cotton but that, in our view it is impossible satisfactorily to assess either the exact measure of the disadvantage or the period for which it will last. In these circumstances and in view of the complexity of the considerations involved we should have had considerable hesitation in proposing an increase in the import duty on this ground alone but the majority of us consider that the reasons we advance elsewhere for a small all-round increase in the import duty on cotton manufactures other than yarn are strengthened by the undoubted temporary handicap imposed on the industry by the stabilisation

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of the rupee at 1s. 6d. Our President dissents from this view for reasons recorded in his separate minute.

We now come to the examination of the claim of the Bombay Mill-owners' Association that the Indian cotton textile industry requires protection against Japan owing to the competition which results from the unfair conditions in that country in regard to hours of labour and the employment of women and children at night. In paragraph 35 above we have stated our conclusion that to the extent that conditions of labour in Japan are inferior to those in India in these respects, it must be held that there is unfair competition between India and Japan. We have further pointed out that Japanese competition is severely affecting the Indian industry in respect both of yarn and piecegoods and our conclusion is that, to the extent that this competition is facilitated by the inferior conditions of labour in Japan the industry has established its claim to protection against it. The Bombay Millowners' Association estimate the advantage which accrues to the Japanese industry from its labour conditions at five per cent. We have preferred to make our own detailed calculations under this head, and have assessed the advantage in actual cost of manufacture at about 4 per cent. in both yarn and cloth. If, as the majority of us consider, the advantage the Japanese industry obtains should be worked out on the basis of the inclusion of a reasonable return on capital in the cost of production, as is the practice of the United States Tariff Commission with regard to their calculations of comparative costs of production, it is very much greater and may be placed in the neighbourhood of  $12\frac{1}{2}$  per cent. on cloth and 10 per cent. on yarn. We are agreed that, in addition to the protection afforded by the present import duty of 5 per cent. on yarn and 11 per cent. on cloth a moderate measure of protection can be justified for such period as the labour conditions in Japan continue inferior to those in India.

### Conclusions and Recommendations.

The majority of us consider, however, that the imposition of any additional duty on yarn is undesirable in view of the effect that this would have on the handloom industry which in 1925-26, according to the figures given in Appendix IV supplied about 26 per cent. of the total consumption of cloth in India. It was represented to us by many witnesses, including some Directors of Industries, that the imposition of an additional duty on yarn would not affect that industry unfavourably as the greatest part of its output is of cloth woven from yarn of the finer counts and may, therefore, be regarded as a luxury product, any increase in the price of which due to an enhanced duty could easily be passed on to the consumer. We are not convinced by this argument. The figures we have given in preceding chapters show that a large proportion of the output of the Bombay mills in the coarser counts is placed on the Indian market and any increase in the price of this must react unfavourably on the handloom industry. It will also react unfavourably on the position of those mills which have weaving sheds only and are dependent on yarn either locally manufactured or imported. For these reasons the majority of us are of opinion that any assistance given to the spinning industry is, for reasons stated elsewhere, best given in the form of a bounty. In regard to protection for cotton manufactures other than yarn in order to enable them to meet Japanese competition, there are four methods by which such a duty could be levied.

An additional duty might be levied on imports from Japan alone. This would necessitate the abrogation of the Anglo-Japanese Convention of 1905 under which Japanese imports into India are entitled to "most favoured nation treatment" and might lead to retaliation against exports from India which largely exceed in value the imports into this country from Japan, the figures in 1925-1926 being Rs. 58 crores for exports against Rs. 18 crores for imports. In these circumstances, the majority of us are of opinion that the imposition of a differential duty against Japan is undesirable when the object aimed at can be secured in other ways.

It should be pointed out that a further complication arises from the fact that, if a differential duty is imposed, against Japan on the ground of inferior labour conditions, it would appear logically to follow that it should also be imposed against China where labour conditions are inferior to those in Japan and also against the United States which also has not ratified the Washington Convention and where, as will be seen from Appendix IX, in some of the Southern States, there is no limitation of the number of hours and prohibition of the employment of female labour at night. In a report of a special investigation into conditions in the textile industry in Massachusetts and the Southern States of the United States and America presented to the Governor and Council of Massachusetts in 1923 it is stated that in practice most of the operatives in the mills in the Southern States work fifty-five hours per week during the day time, ten hours for five days and five hours on Saturday and that then, if necessary, a night shift (including women) may be employed for ten hours each night except Saturday and Sunday.

A specific duty might be levied on the class of goods which are in the main imported from Japan. We have dealt with the general aspect of such a duty but there are further objections to it. The first of these, which rules it out in existing conditions, apart from any other consideration, is that, except of course, in regard to yarn, no machinery at present exists for working such a duty. The ascertainment of the exact counts of yarn from which a particular cloth is manufactured is a highly technical process for carrying out which an expert staff would be required. We examined the Collectors of Customs at Bombay, Madras and Calcutta, on this point and, while they are agreed that the substitution of specific ad valorem duties would be welcomed by the Customs Department for administrative reasons as it would obviate the difficulties which at present arise in regard to valuations, more especially in Calcutta, it would be extremely difficult to evolve a satisfactory scheme even for grey goods owing to the immense range of cloth which enters India. Various attempts have been made to frame such a scheme but no progress has so far been achieved. Even in regard to grey goods which, it was agreed, represented a much easier problem than bleached or coloured, printed and dyed goods, the very important class of bordered dhotis presents great complications.

A tariff on cotton textiles on these lines is already in force in other countries, of which Austria may be mentioned as an example, but a satisfactory scheme could, in our view, only be worked out by an expert with a very close knowledge both of Indian and imported piecegoods in consultation with the trade and the work would take several months. No solution of the present problem can therefore be found in this direction even if there were not objections from other points of view to the proposal. There is the

consideration, the force of which the representatives of the Millowners Association themselves admitted, that the imposition of a duty by counts would lead to legitimate substitution. The imposition of a heavy duty on counts of yarn below 30s or on cloth made therefrom, would, for example, lead to the increased import of counts of yarn just above 30s or of cloth made therefrom, and the object for which the heavier protection against the lower counts was granted would be frustrated. The only solution for this difficulty which was offered to us was the raising of the dividing line; for example, if the object was protection against cloth manufactured from counts of yarn under 30s, it was held that it would be necessary to impose a duty on all cloth made from counts of yarn under 40s. If that proved insufficient the line would then have to be placed at 50s. It will be obvious that this does not furnish a satisfactory solution of the problem. There is the further objection that, while the object of a specific duty based on counts might be simply protection against Japan, it would also affect a very large proportion of the imports from other countries, more especially those from the United Kingdom since, as we have pointed out, between 40 and 45 per cent. of the imports from that country consist of cloth of counts between 30s and 40s, so that the limited purpose for which the duty might be imposed would not be attained. In these circumstances, we are unanimously of opinion that protection to the industry cannot be given in the form of a differential duty based on counts of yarn.

The third method by which the Indian industry might be protected against unfair competition is by the imposition of an ad valorem duty on cotton manufactures from all countries other than those within the British Empire. The adoption of this course would obviate any difficulties arising from the existence of the Anglo-Japanese Convention which only secures for Japanese goods imported into India the lowest customs duties applicable to similar products of any other foreign origin, that is, imports from countries outside the British Empire. The majority of us do not consider it necessary to discuss the advisability of such a duty for three reasons. In the first place, it would, in effect, amount to Imperial Preference and thus raise broader questions of commercial policy than can be dealt with by such a Board as ours with limited terms of reference. A second and even more important consideration is that the proposals we subsequently put forward will involve a very much larger expenditure than would be provided by the imposition of a duty which would only affect a comparatively small proportion of the imports into India. The third objection is that goods of foreign origin might be imported into India through ports within the Empire such as Hongkong or Singapore.

The fourth method which the majority of us favour is, therefore, that of an addition to the present ad valorem duty of 11 per cent. on all cotton manufactures other than yarn. Such a duty has, in our view, four great advantages. In the first place, it gives protection against unfair competition. In the second, it avoids complications arising from discrimination against particular countries. In the third, it enables funds to be found to give a definite stimulus to the development of the industry on the lines we have considered desirable and lastly, it obviates the necessity for certification of origin which would be necessary to ensure that goods of foreign origin are not passed off as goods from any part of the Empire. We discuss in chapter XII the manner in which this stimulus should be given.



## The President's Minute of Dissent.

The following is the minute of dissent submitted by Mr. Noyce, the President of the Board.

I am compelled to differ from my colleagues in regard to the proposal for the grant of a bounty on the production of yarn of counts 32s and over. I do so with regret as I agree with them that a development in this direction would be to the advantage of the Bombay industry. The disagreement on this point is an illustration of the difficulties of the problems with which we have been confronted.

I am not convinced that the artificial stimulus to the development of the spinning of higher counts is either necessary or desirable and I, therefore, object to the proposed bounty on principle and because I consider that the administrative difficulties in working the scheme satisfactorily are so great as to be insuperable. My colleagues have explained that the main justification for the bounty lies in the special needs of Bombay. I hold that a long established industry in Bombay should need no stimulus at the expense of the general taxpayer to a development which is in its own interests. If the Bombay mill industry is convinced by our analysis of the present position in the report and by the arguments we have there adduced in favour of diversification of production I cannot but believe that it has the energy and initiative to embark on such a development without the stimulus of a bounty. If it is not so convinced, the small bounty proposed will be without effect.

My colleagues have explained the reasons which prevented evidence being taken as to the practicability of their proposals or the efficacy of the safeguards they suggest but I regard it as most unfortunate that it has not been possible to discuss the probable effects of their scheme with those best qualified to express an opinion on them. That the scheme might have undesirable effects is implicitly admitted by the proposal that the bounty should be limited to the production of 15 per cent of the spindles in a mill, in order not to overweight the production of the higher counts. If the production of higher counts is a desirable object in itself, it appears to me illogical to impose this limitation.

### Some Objections to the Proposal.

I attach more importance than do my colleagues to the objection that the bounty would do little or nothing to assist the mills which have spinning departments only. There are fifty of these in India and as we have pointed out, they are in a worse position than those which have both spinning and weaving departments. If, as we have held, the price of Japanese yarn exerts a depressing effect on the price of Indian yarn, a bounty on the production of yarn of higher counts will do nothing to rectify matters in this respect. The depressing effect on the price of all yarn as the result of foreign competition will continue to be felt. All that will happen will be that the mills which have spinning departments only will receive a bounty or at the utmost, fifteen per cent. of their production and will be in no stronger position to withstand foreign competition on the remaining eighty-five per cent. The bounty, therefore, will in effect, be no more than a grant in aid to reduce losses or to increase profits. The position of the spinning mills in respect of foreign competition will in no way be strengthened thereby.

The greatest problem before the Bombay mill industry, in my view, is that presented by the increasing competition of mills in Ahmedabad and

other up-country centres. Of the 25·6 million pounds of yarn over 30s spun in Indian mills in 1925-26, only 8·4 million pounds or less than one-third were produced in Bombay. The corresponding figures for the first six months of 1926-27 were 19·39 million pounds and 6·7 million pounds respectively. It would thus seem that the up-country mills, as a whole, are at least as well equipped as Bombay to take advantage of the bounty and that it will not improve the position of the Bombay mills relative to that of those in other centres.

My colleagues have, in my view, dealt too cursorily with the difficulties presented by the insufficiency of raw material in India itself suitable for spinning counts of over 30s. We have stated in our Report the extent to which cotton suitable for such counts is available in India and have pointed out that the Bombay industry, for whose benefit the subsidy is mainly proposed, is at no special advantage in respect of it. It is, on the other hand, at some disadvantage as compared with Ahmedabad in respect of the Broach crop and at a distinct disadvantage as compared with the mills in Southern India in respect of the Cambodia crop. Any development in the direction of spinning higher counts in Bombay must, therefore mean an increased use of American and African cotton. However desirable this may be in the interest of the Bombay mill industry, I consider it questionable whether it is desirable that it should be encouraged by the grant of a bounty which would be met, in part, by the cultivator of Indian cotton in the form of an increase in duty on such imported cloth as he may use.

I attach considerable importance to the objection that the proposed bounty would deprive the millowner, who has already embarked on the spinning of higher counts, of much of the advantage he has derived or may derive from so doing. There are already a few mills which are spinning higher counts on a much larger scale than is contemplated by the proposed scheme. The proportion in one successful upcountry mill of spindles employed on counts above 30s is as high as four-sevenths. While the managing agents of such mills will be in a position to obtain a bounty of fifteen per cent. of their production they will in regard to the remainder of it find themselves in competition with the subsidised product of their own and other mills.

The effect of the subsidy would be very unequal. Certain centres such as Bombay, Ahmedabad, Madras and Madura would be in a position to take greater advantage of it than others such as Cawnpore and Delhi. It would also work unequally as between mills in the same centre. Managing agents who control large mills or groups of mills would be able to take greater advantage of it than those who control smaller mills as they would be in a better position to effect the changes which would be necessitated by the transition to higher counts and to work the full percentage of spindles necessary to earn the bounty. My colleagues consider that inequality of advantage is inseparable from any scheme of protection, whether in the form of an import duty or of a bounty. Even if that is admitted, I am still of opinion that direct State aid which works to the advantage of a section of an industry only is undesirable.

The grant of the proposed bounty would accentuate the tendency on the part of Indian mills to spin higher counts of yarn than the quality of the cotton warrants, a tendency which was the subject of unfavourable comment in evidence we received. The result is inferior yarn and cloth and dis-

contented labour. Mills at present spinning 30s. worst yarn would be tempted to spin 32s. or even 34s. yarn without altering their mixing.

The bounty would lead to inefficient working. The smallest efficient unit in a mill is one preparation and fifteen per cent of the spindles are not sufficient to deal with the output of this where the plant consists of 30,000 spindles or less. The result would, therefore, be that the smaller mills would run a proportion only of a preparation on the cotton required for the spinning of higher counts and the balance, between the two processes would be upset.

If the bounty is granted on the basis of the output of fifteen per cent spindles used for spinning counts of 32s. and over, the result would be to encourage the spinning of counts of or very near 32s. as it would be on these that the maximum amount of the bounty could be earned at the minimum cost of production. If the bounty is granted on the average number of spindles, there is no incentive to securing the maximum production per spindle.

#### Administrative Difficulties.

As I have stated, the difficulties in the way of administering the subsidy appear to be insuperable. A grave objection to the subsidy, in my view, is the inquisitorial inspections which would be necessary to ensure that the production and counts of yarn were as stated. My colleagues have referred to the fact that a similar and even more elaborate scheme is in force in Queensland which is so far as I am aware, the only country in which an attempt has been made to subsidise the cotton textile industry in the manner proposed. The cotton textile industry in Queensland is an entirely new industry and the number of mills is very small indeed, so small that the number of spindles in them is not shown separately in any return of the world's spindles which I have been able to procure. There is further an important difference between the scheme which is in force in Queensland and that proposed for India. The bounty in Queensland is given on a graduated scale from the lowest counts upwards. There is thus no inducement to a mill to return higher counts than those actually spun in order to earn the bounty.

#### Increase of Import Duty on Cotton Manufactures.

My colleagues have proposed the imposition of an additional four per cent duty on all imports of cotton manufactures, other than yarn, mainly in order to provide the funds required to stimulate the production of yarn of higher counts. As I do not agree that such a stimulus is necessary or desirable, it follows that I am unable to agree that an all-round increase in the present eleven per cent duty can be justified. The objections to a substantial all-round increase in that duty which have been stated at length in our report appear to me to apply whatever the amount of the proposed addition. It is, therefore, unnecessary to discuss at any length the secondary argument advanced in favour of a general increase in the duty, namely, that it would afford relief against the maladjustment between costs of production and falling prices. My colleagues consider that the other reasons they advance for a small all-round increase in the duty are strengthened by the undoubted temporary handicap imposed on the industry by the stabilisation of the rupee at 1s. 6d. which has rendered the problem presented by the disparity between prices and wages more acute. I would merely

point out that it has not been established that the problem presented by the disparity between prices and wages is pronounced except in Bombay our examination of the cost of production statements as well as much evidence adduced before us has shown that there is no respect in which the disadvantages of Bombay as compared with other centres are more apparent than in its high labour costs and it has not been shown that the present level of wages is an undue burden on the industry in any centre other than Bombay. Even if the estimate of the direct disadvantage to the industry, due to the stabilisation of the rupee at 1s. 6d. as from 4 to 6 per cent according to the price of cotton is accepted, it must, I consider, be held that the greater part of this has been rectified by the abolition of the excise duty. It is unnecessary to labour this point. The connexion between the level of wages in Bombay and the abolition of the excise duty is sufficiently obvious from the fact that the attempt to reduce wages in Bombay at the end of 1925 was abandoned when the excise duty was abolished.

No all round increase in the duty affords any solution to the main problem before the Bombay industry, that of meeting the increasing competition of mills in other centres. The complexity of the problems with which we have been confronted has been very greatly enhanced by the disparity between the conditions in Bombay and other centres. We have pointed out, in Chapter III, that the demand for protection has not been so earnestly pressed from other centres as it has been from Bombay. It is, I think, unquestionable that there would have been no demand for protection at all had it not been for the depression in Bombay. If the demand for protection in any form is admitted, as we have admitted it in the case of unfair foreign competition, the problem is therefore to devise a measure of protection which will assist the Bombay industry, will impose the minimum burden on the consumer and will not, at the same time, give the industry in other centres assistance of which it does not really stand in need. The problem is an insoluble one, but the nearest approach to its solution is provided by protection against unfair foreign competition, the effect of which on prices is felt by the whole industry though the direct effect is much more severely felt in Bombay than it is elsewhere. We are agreed that an industry may legitimately ask for protection against unfair foreign competition beyond what is accorded to it by any existing revenue duty. The unfair competition in the present instances arises from inferior labour conditions and the measure of protection should, therefore, be that which is required to offset the advantages derived from these. We have estimated the advantages derived by the Japanese industry from double-shift working at 4 per cent on the actual cost of manufacture of yarn and cloth. We have further given figures which show that, if a reasonable return on capital is included in the cost of production, this advantage, owing to the fact that the economies secured by double-shift working are obtained on twice the output, is increased to about 10 per cent for yarn and 12 per cent for cloth. I do not attach the same importance to these figures as do my colleagues. It appears to me impossible to assess quantitatively the advantages derived by the Japanese industry in this respect. Further, the addition of a reasonable return on capital to actual manufacturing costs introduces problems of the utmost complexity in regard to the correct basis which should be adopted for the capitalisation of an industry which

has been so long established as the cotton textile industry. The basis of the calculations, the results of which are given above, is present replacement values, but it appears to me that there is insufficient justification for adopting this basis for the industry in Bombay where, owing to municipal restrictions, no new mills can be erected. Whatever view may be taken in regard to this, I hold that the maximum duty which can be justified is one which will offset the actual advantage per pound of yarn or per pound of cloth manufactured, derived from double shift working in Japan. This, it is most important to note, is all that was asked for in this respect by the Bombay mill industry.

#### Differential Duty Suggested.

I, therefore, recommend the imposition of a differential duty of 4 per cent on all cotton manufactures imported into India from Japan, to be imposed at the earliest date from which such a duty can be imposed with reference to the terms of the Anglo-Japanese Convention of 1905. For the reasons given by my colleagues, I further recommend that this should be imposed until the end of the period for which they have recommended the additional general duty, that is until the end of the financial year 1929-30. I realise, as fully as they do, the objections to imposing an enhanced duty on yarn, even though it is a differential duty against one country only, but I can see no logical ground for distinction between yarn and cloth and would point out that the argument they have advanced in support of their proposal for an all round increase in the duty on cloth, namely that the recent heavy fall in the price of cotton should render its effect on the consumer imperceptible, applies equally to yarn. It may be held that a differential duty of four per cent is so small that it will give the industry no material assistance in meeting unfair competition. It must be remembered that it is in addition to an existing duty of five per cent on yarn and of eleven per cent on cloth. The history of the Indian cotton textile industry, moreover, furnishes convincing proof that a duty of four per cent has never been regarded as inappreciable.

My colleagues have pointed out that their proposal obviates the disadvantage which would arise from the fact that the imposition of a differential duty against Japanese imports would necessitate the abrogation of the Anglo-Japanese Convention of 1905 and that this might lead to retaliation against exports from India to Japan. It has also been pointed out in the report that the difficulties arising from the existence of the Anglo-Japanese Convention could be obviated, and the industry could at the same time be protected against unfair competition, without the imposition of a general duty, if an additional duty were imposed on cotton manufactures from all countries outside the British Empire, the imports of which from countries other than Japan are very small. My colleagues hold that this would, in effect, amount to Imperial Preference and thus raise broader questions of commercial policy than can be dealt with by such a Board as ours. I am in entire agreement with them on this point. Our concern is with the facts of the industry before us. On those facts it has been established that the industry is suffering from unfair competition but that the extent of that competition does not justify an increase in the present level of duty beyond four per cent. We are agreed in holding that a duty of this amount would give the industry an appreciable measure of protection. I am at one with my colleagues in holding that it is not for us to express

an opinion whether the disadvantages to the cotton textile industry, arising from unfair foreign competition, outweigh the advantages which accrue from the existence of the Anglo-Japanese Convention, especially in view of the fact that, as six months' notice has to be given of intention to terminate it, more than six months of the period of two and a half-years during which conditions of labour in Japan will, so far as can at present be foreseen, remain sufficiently inferior to those in India to justify a differential duty must necessarily elapse before such a duty can be imposed. Nor is it for us to express an opinion whether the object aimed at, which is the protection of the industry against unfair foreign competition, could better be secured by the imposition of an additional duty on cotton manufactures from countries outside the British Empire. It must, however, be pointed out that the latter course would have the advantage that only a very small additional proportion of the import would be affected. The imports of yarn from countries outside the British Empire and Japan in 1925-26 amounted to 2'1 million pounds or 4 per cent of the total, and those of piece-goods to 56 million yards or 3'5 per cent of the total. It would further enable immediate assistance to be given to the industry whereas, in any event, no differential duty could be imposed against Japan for a period of six months and possibly considerably longer. It would also avoid the complication which arises from the fact that there are other countries such as China and the United States of America in which conditions of labour in respect of the employment of female labour at night are inferior to those in India and which should, therefore, logically be included in any scheme of differential duties imposed on this ground. The competition of these countries is not severe but the figures we have given in paragraph 44 show that, when stable conditions are restored in China, competition from that country may easily become so. In this connection, it cannot be overlooked that there are 45 mills in China which are owned by Japanese, so that a differential duty against Japan might well lead to increased imports from China.

The proposal submitted by my colleagues have the advantage over that submitted above that they more than provide the funds required for the expenditure involved by recommendations, other than that for the grant of the bounty, which have my entire support. An additional duty of four per cent on cotton manufactures from Japan would yield about Rs. 50 lakhs on the basis of the figures for 1925-26. An additional duty against Japan would undoubtedly lead to a fall in this figure, and, as the estimated cost of the remission of the duty on machinery and mill stores alone is Rs. 50 lakhs, there would thus be some loss of revenue under this head as well as expenditure on carrying out the other proposals enumerated in paragraph 107 of the Report which would have to be met from other sources.

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# Indian Debate in the Lords

HOUSE OF LORDS—30TH MARCH 1927.

In the House of Lords on March 30 Lord OLIVIER asked the Secretary of State for India to give the House information with regard to matters of immediate interest in public affairs in India, and in particular with regard to the prospects of any steps being taken at an early date in preparation for the consideration of further constitutional change; also as to the agreement recently arrived at between the Government of the Union of South Africa and the Government of India with regard to the position of Indians in the Union, as to the continued detention of persons arrested under the Bengal Ordinance of 1924, and as to the policy of the Government of India in regard to the rating of the rupee; and moved for papers.

He noticed that in a recent speech the noble earl had said it was yet too early for him to pronounce on the success or failure of the present Constitution. He (Lord Olivier) did not know that it would ever be early enough for the noble Earl to express an opinion on the success or failure of the present Constitution in India, but he had no doubt that he had formed in his own mind an opinion on the success or failure of the very well-intentioned and sincerely conceived constitutional experiment in that Dependency. Although that Constitution was good enough as a stop-gap, it was one which the longer it worked the less satisfaction it gave, and, seeing that they had now arrived at the third electoral period of the probationary period of the Constitution, it behoved the Government to consider what was to be the next step in the direction of possible modification of the Constitution.

The noble earl in the same speech had gone on to say that if the constitutional experiment was not in every respect happily conceived, it did equip Indians to show that in concert with ourselves they could frame a better Constitution, and we could contribute our part to the framing of that better Constitution. It was extremely difficult to understand what exactly was in the noble Earl's mind. Had he in view any project affording Indians by invitation or otherwise an opportunity of showing that they could frame, in concert, a better Constitution? If that was the right interpretation of the noble lord's observations it was a matter of very great importance.

The Earl of Birkenhead, Secretary of State for India.—I said in concert with ourselves.

## Alternative To A Statutory Commission.

Lord Olivier said that the working of the present Constitution in India gave no opportunity except by the appointment of a Special Committee of the Legislature to indulge in Constitution-making. That duty was by statute entrusted to the Imperial Parliament after the appointment of a Statutory Commission. What he wished to elicit from the noble Earl was whether there was any alternative to a Statutory Commission. The noble Earl had said further in his speech that the events of the last two months provided some encouragement that the saner sections of opinion in India were realizing that we were asking for nothing better than to continue a sympathetic and friendly partnership. He entirely agreed that a much saner and much more promising method was being pursued as far as one could judge at present both in the Legislative Assembly and elsewhere towards the possibility of working representative institutions in India. It could not be said that any sort of factious or reasonable opposition or abuse of the form of the House had been indulged in by any party during the recent Sessions of the Legislative Assembly, so far as he had been able to follow them. But the expressions of the noble earl were likely to be interpreted in India as offering rather less than Indians thought was their due. In the memorandum which the

Government had issued on China they stated that the time had come for the powers to recognize that Chinese nationalism preferred to manage its own affairs and not to have them managed under the tutelage, however wisely devised, of the European powers. That was very much on the lines of what the Indian Nationalist Party were striving for. It would be a mistake to suppose that the smoothness with which things had gone in the Legislative Council or Assembly was to be taken as any adumbration of moderation of the unanimous demand of all parties, whether Moslem, Hindu, or Swarajist, for a progressive advance towards the establishment of a self-governing Dominion under the Crown.

#### Desire for a Concordat.

The leaders and more intelligent spokesmen of both the Moslem and Hindu Parties desired to come to some concordat in order that constitutional progress might be made on a firm basis. In the last few days a real and genuine movement had been seen in the direction of establishing a basis for settling the vexed question how the rights of minorities were to be dealt with. He asked whether there was any prospect of any steps being taken in preparation for the consideration of further constitutional change. Time was running out and an enormous amount of preliminary preparation would be needed. The agreement recently arrived at between the South African Government and the Government of India with regard to the position of Indians in the Union seemed to him reasonable and fair to both parties, and he considered it an Imperial event of the greatest promise. The continued detention of persons arrested under the Bengal Ordinance of 1924 was a source of continual trouble in India. Did the Secretary for India think it was possible to go on very much longer with some of these cases, exercising a continuous preventive detention, or was there any hope that within a short period the present operations of the Ordinance would practically expire by exhaustion?

There had been a vote in the Legislative Assembly on the proposal to stabilize the rupee at 1s. 6d. when the Government had obtained a small majority. The effect of a rate of 1s. 6d. as distinct from one of 1s. 4d. was always to favour the importer of goods from England into India and to penalize the producer in India of goods that had to be sold in that country or sent to England. There was an immense amount of feeling in India that the general interests of the Indian producer had been sacrificed to the financial interests of the Government.

The SECRETARY OF STATE for India (the Earl of BIRKENHEAD): My Lords, I am grateful to the noble Lord for affording me this opportunity of attempting to give your Lordships a survey of the present situation in India. Some nine months have elapsed since I last reviewed in general Indian affairs and, although I am well aware that many of your Lordships follow with attentive and instructed interest such accounts—and they are not inconsiderable nowadays—as the Press provided of day to day happenings in India, I think that it may be of advantage, even to those of your Lordships who have had personal experience of the problems of Indian politics and administration and are consequently well qualified to assign their relative values to the tendencies indicated by events, if I attempt to place the component elements of the somewhat bewildering panorama of this large fraction of the Empire in the perspective which, from my reading of contemporary history and from the large volume of information which it is my daily duty to receive, appears to me to be just.

The noble Lord has asked me to deal specifically with a number of somewhat diverse points, all I admit of importance; and I propose endeavour to include them all within my survey, if not necessary in the order which he adopted. Let me begin by reminding your Lordships that, since I last addressed you, India has passed through the third General Election of the 1919 Constitution. No very detailed information has yet reached me of the number of voters who went to the polls but I can at least say that there was no dearth of candidates of ability, that the polls were conducted without disorder, and that the electors showed, on the whole, a distinctly greater interest in the exercise of their suffrages than on the two previous occasions. How far this increased interest was due to other causes than a realisation of the issues at stake and of the



political philosophy underlying the use of a vote, I cannot even guess. But it would be foolish to pretend that electoral politics in India have yet emerged in general beyond the individual and personal appeal, or that Party politics, as we conceive them, are not still a conception of the future. It is true that Party labels are there, and that within the Legislatures groups have formed and reformed, named and renamed themselves, coalesced and disintegrated, in almost Kaleidoscopic complexity. I can, however, discern no sharp line of principle dividing and distinguishing them, nor perhaps can this will be otherwise at the present stage of constitutional development.

#### One Broad Issue.

But with due regard to these limitations, it is none the less true to say that there was on the occasion of these last Elections one broad issue which confronted the electors—namely, whether their choice should fall upon a candidate who professed, or upon one who repudiated, the main principle associated with the Party until recently known as Swarajists. As Your Lordships are aware, the Election of 1923 brought into the forefront of Indian politics a conception of statesmanship, the appeal of which to intelligent men I have more than once expressed my inability to understand. The noble Lord, my predecessor, has several times in speech and writing claimed that the position attained by the followers of the Swarajist creed in most of the Councils as the result of the Elections of 1923 entitle them to be regarded and treated as the Constitutional Opposition. Events have in my judgment proved this claim to be misconceived.

This is not the occasion for a philosophic examination of the theoretic bases of Party government. But I imagine that none of your Lordships would dissent from the position that, although, no doubt, the main function of an Opposition is to oppose, the very conception of Government and Opposition pre-supposes acceptance by both alike of the framework of Constitution within which they function and have their being. Without this postulate the forms of Parliamentary government are empty and meaningless, and it was the denial of this postulate which, as I understand it, formed the bedrock of the Swarajist creeds. Their policy was to endeavour "by uniform continuous and consistent obstruction within the Councils"—this is not my phrase but the 'ipsissima verba' of the Party's manifesto of 1923—"to make government through the Councils impossible." And why? Because Parliament decided in 1919 that the bold step forward then to be taken towards responsible government could not for the time being be more than a stage in the advance and should not consummate a complete abdication of authority on the part of this country. I am not so rash as to attempt to predict from the present composition of the Councils the probable course of their actions during the next three years, but I think it is not unduly optimistic to discern grounds for hope that the sterile and reactionary character of the creed of the rigid Swarajist has become apparent to Indian intelligence generally, and indeed to not a few of its former exponents.

#### A Change of Name.

I do not deny that the last Session of the Indian National Congress decided by a majority to affirm the past policy of the Swarajist Party, but it is instructive to observe that the Swarajist Party has now discarded its title in favour of the title of "Congress party," thereby perhaps advertising (what had become during the last few years increasingly obvious) that the Congress, which in the past has numbered within its fold practically every Indian of character and enlightenment, is no longer entitled to arrogate to itself the description "National," for it is an open secret that the decision to decline the responsibility of Ministerial office in the Provinces where the Swarajists were in sufficient strength to warrant an invitation to assume it, or to supplant the Ministry formed from other Parties where this was not the case, was received in more than one Province with great searching of heart by the Party's local adherents; while it is no secret at all, but a plain fact, that those who profess and call themselves Swarajists have been returned in diminished numbers to nearly every Council, and that most of the so-called Responsivists and Independents who are now to be

found in appreciable numbers in all the Councils are persons who, having hitherto marched under the Swarajists banner, have declined any longer to bind themselves to a programme of barren and naked obstruction.

One tangible effect of this situation is that in two Provinces—Bengal and the Central Provinces—where, after the Elections of 1923, the Swarajists had been returned in sufficient strength to put a stop to the machinery provided by the Act of 1919 for transferring to the control of Ministers responsible to the Councils an important section of the administration, the Governors have now found it possible to appoint a Ministry, and in both places there are distinct indications that the Ministry can count on the requisite Parliamentary support. Your Lordships have no doubt observed that about ten days ago a formal vote of "No confidence" in the Bengal Ministry was rejected by a decisive majority.

#### Hindu-Muslim Tension.

Here, my Lords, the peculiar difficulties which have beset the Governor of Bengal in finding Hindu and Moslem leaders willing to co-operate, bring me to a topic with which, at the noble Lord's especial request, I dealt in some detail on the last occasion I answered a similar question—the rivalry and antagonism of Hindu and Moslem. I wish that I could report to your Lordships that this matter gives ground for less anxiety, and for less constant watchfulness on the part of the authorities responsible for the preservation of peace and order, than was the case when I spoke here nine months ago. Unfortunately I can make no such report, though I am glad to think that the situation is in some places less acute than it was last summer. Only three weeks ago bigoted intolerance—and I characterise impartially in those terms the attitude of those who rigidly insist on the playing of music at times and in places which give ground for offence, and of those who no less rigidly object to it in circumstances when objection has not in the past been made—bigoted intolerance, I say, led to a clash between large parties of Hindus and Moslems at a remote village in Bengal, which the police were forced, with no small loss of life, to end by the use of firearms. Though there have not been of late disorders on a scale comparable with those which disgraced the streets of Calcutta in the spring and summer of last year, the instance I have cited is only one of four serious collisions which have occurred at various places within the last six months.

Almost more disquieting to my mind than these crude manifestations of mob intolerance are the jealousies and suspicions of Hindu and of Moslem leaders in the field of politics, for if the leaders are incapable, or not desirous, of subordinating sectarianism to nationalism, the prospects of growth among their less enlightened followers of that spirit of reasonable accommodation which is the life-blood of political progress, can hardly be regarded as encouraging. I have no desire to dilate again upon this problem—a problem the solution of which can be found by no one but Indians themselves—but I must be permitted to observe that until those who contend that India is at this moment the rightful and competent arbiter of her own destiny can lay the spectre of sectarian violence, their contention must necessarily fail to appeal with conviction to unprejudiced minds. Whether the discussions to which the noble Lord referred, which were reported a few days ago from Delhi as having been initiated by certain Mahomedan Leaders, as to the feasibility of surrendering the separate Moslem electorates which form part of the present political structure, and as to the conditions upon which this change might be considered, will come to fruition and prove, as they well might, to have in them the seeds of a solvent for this "malaise," I have little means of judging—no more than any one of your Lordships—but I shall watch with attention the development of this most interesting indication of the moment of Indian political thought.

#### A Promising Situation.

I should, however, be giving a false impression if my observations hitherto have led your Lordships to suppose that I see only shadows on the picture. I say, though not without some hesitation, that the political outlook as the result of the last elections aided by the fortunate outcome, to which the noble Lord very generously referred, of the recent negotiations between representatives of the South

African and Indian Governments, on which I shall have something to say in a moment; is one of no small promise. I shall not go further than that somewhat guarded utterance takes me. Indeed, I am conscious that some not inexperienced observer would view with unbelief even that degree of optimism. I have followed, with the close attention I was bound to give to it, the Session of the newly-elected Legislative Assembly which has just closed, and in specially mentioning the Assembly I must not be taken to have overlooked the proceedings of the other, and not less important Chamber of the Indian Legislature: it is, however, inevitable that one's attention at this juncture should be chiefly directed to that body which represents the more recent choice of its constituents, and which by the nature of its constitution, should indicate more directly the trend of the general mass of political opinion.

The impressions I have gained from this scrutiny I should find it difficult to indicate fully within the time I am entitled to expect your Lordships' attention. But let me generalise by saying that, while I admit that the tone of the debates has been, on the whole, free from bitterness; that relations between members of the Government of India and the Opposition have been friendly both inside and outside the House; and while, finally, the Government of India has been able to find, sometimes by extremely narrow majorities, sufficient support for their considered policies to secure the defeat of their opponents upon issues of first-class importance, yet I cannot but feel that the position, even to-day, lacks stability. I have said before, and I say it again now, that by the co-operation which I have before requested I do not mean servile acceptance of any and every proposition that the Government think fit to submit to the scrutiny of the debate and to the verdict of the Division List. As the noble Viscount, Lord Chelmsford, found occasion truly to observe on a memorable occasion to the Indian Legislature: "The day of autocracy is past" in India.

#### Responsive Co-Operation.

Nor am I so foolish as to waste endeavour to find a point of approach to those who have succeeded in persuading themselves that they still continue to serve the interests of their country by putting into practice the orthodox Congress creed. My doubts arise from the difficulty the past Session has presented of distinguishing by the test of speech and vote between the hide-bound adherents of that creed and those late professors of it who claim to have been returned to the present Assembly as followers of their own individual consciences. I have already observed that Indian politics in the mass are still largely, perhaps inevitably, an affair of personalities, but I am loath to believe that those men who have been judged worthy by their fellow countrymen to represent their views in the Central Legislature can carry independence of judgment and action only to the extent of repudiating the colours of a particular Leader while echoing his sentiments and following him on every important occasion into the Division Lobby. Still, despite such discouragements, I maintain that I do see clearer signs, and from a wider area, of that "responsive co-operation" (to borrow the phraseology of Indian politicians themselves) between British and Indian which is indispensably needed to enable the best mind of both races to think out without prejudice, the testing problems confronting them, and failing which I myself can see no solid hope of progress.

#### The Bengal Detenuees.

I turn now to the second of the topics upon which the noble Lord invited my observations—the continued detention in goal, or under restraint of various degrees, of a number of persons in the Bengal Presidency. I do not intend on the present occasion to examine the grounds upon which the Government of which the noble Lord was a member decided to authorise the noble Marquess, the late Viceroy, to enact the Bengal Criminal Law Amendment Ordinance of October 1924. On an earlier occasion I have dealt fully with that matter in your Lordship's House, and have made it plain—as was, indeed, apparent from my own decision a few months later to support the certification of the Act of 1925—that, whatever my "prima facie" prejudice against legislation of this character (and I

have never either disguised or dissembled it,) I considered that the action of His Majesty's late Government and of the Government of India in assuming and using these unusual and drastic powers was completely justified.

I shall assume, therefore, for my present purpose a general acceptance of the decisive fact that in 1924 there was existing, and had existed for some years in Bengal, an organised conspiracy for the commission of revolutionary crime: I shall assume a further general acceptance of the fact that the authorities responsible for the preservation of life and the maintenance of order in the Bengal Presidency found themselves unable to accept responsibility for the performance of their task unless they were enabled by process of law to deprive the known leaders and organisers of this conspiracy of the freedom to pursue their criminal activities, by segregating them alike from their fellows and from their potential victims. The noble Lord does not, indeed he cannot, with due regard to his personal responsibility in this matter, question these premises. He has put his case with great moderation and it is my duty to give him as far as I can an answer alike full and candid.

I am asked, and reasonably asked, what is to be the end of this policy of detention? Are we, with our high judicial traditions, to contemplate the indefinite detention in gaol, or even under less irksome forms of restraint, of a large number of the educated youth of Bengal? Let me assure your Lordships that, pursuant to the pledge which I gave to the best part of that year I have been putting these questions insistently to myself and for several months I have been in constant consultation with the Government of India as to the answer we are to give, having regard to our responsibilities and those of the Bengal Government for the protection of the life and property of the inhabitants of the Province.

Your Lordships will not expect me to disclose to you the details of these discussions, but, in view of the admitted conditions at the time when these powers of detention were last assumed, the question at issue really resolves itself into this: Is the situation which admittedly necessitated the arrest of a number of persons in the autumn of 1924 in order to prevent the commission of terrorist outrages, now, in the spring of 1927, such that the release of all those persons can be contemplated with equanimity or allowed with safety? In my judgment, after the most careful examination of which I am capable, even of individual cases, the release at this moment of all these persons from the restraint under which many of them have lain for a long period would be attended by a risk of the recrudescence of murderous outrages for which I will not assume responsibility. And in making this assertion I claim that I am not easily deterred from a course otherwise proper because that course is attended by risks. But this does not mean that I contemplate a policy of indefinite detention and that I return a blank non possumus to the noble Lord's appeal.

#### The New Policy.

Let me state in some detail and in the plainest terms I can the policy at which, in consultation with myself, the Bengal Government and the Government of India have now arrived and which is now guiding and will continue to guide their actions. In order to do so I propose to read to your Lordships a statement not long, which was made publicly, with my declared concurrence, on behalf of the Government of India last week. It is as follows:

"The policy of the Government regarding those who have been detained under Regulation 3, or the Bengal Criminal Law Amendment Act, in connection with the Bengal revolutionary conspiracy, has been and still is that the detention of no man should last longer than is essential in the interests of the public safety. The Government are convinced that a terrorist conspiracy is still in active existence, and that consequently it is not possible to take steps in the direction of the release of those about whom there is no reasonable doubt that they would utilise their liberty to resume their previous activities. They are, however, anxious to pursue as quickly as possible the gradual release of individuals whose conduct gives reason for hoping that they will not abuse their liberty. The Bengal Criminal Law Amendment Act provides for a considerable degree of elasticity in the treatment of those who are dealt with under it and

enable the Government to transfer from gaol to less strict forms of supervision persons whose past record and present conduct would not justify their unconditional release. Individuals of this class may be directed to reside in a particular village or in their own home. The practical results of transferring men in this manner to village or home domicile are carefully watched, and the Government are enabled to observe whether action taken is justified by events, and this to determine the possibility of the further extension of such action."

The noble Lord asked me upon this point a particular question. He said, when you are releasing an individual upon the giving of an assurance, what is the use of examining his past record?

Lord Olivier: I put it the other way round. If you are only going to release a person when you are satisfied by the past record that he is not dangerous, what is the use of asking for a promise?

The Earl of Birkenhead: You form your judgment upon a combination of both considerations. The assurance for the future may possess a value quite different in the case of a man whose past record is good. Supposing for fourteen years a man's record has been one of revolutionary violence, it would naturally be the duty of the authorities to examine in a very different spirit any assurance that he might give for the future. I cannot really see any inconsistency in the double test which has occasioned the anxiety of the noble Lord. However, it is proper that I should show what has been done in the direction of discriminating the treatment of detainees. I may mention that out of 171 persons dealt with under the Bengal Criminal Law Amendment Act from the beginning 75 have been placed in village domicile and 13 in home domicile, while 26 have been released. The number now remaining in gaol of this class is 54. Of those arrested under Regulation 3, 31 were subsequently transferred to the Bengal Criminal Law Amendment Act and are included in the figures just given. Sixteen at present remain in gaol under the Regulation.

#### "Village and Home Domicile."

In the last two and a half months the Government of Bengal have issued orders for the transfer of 19 detainees from gaol to village or home domicile under the Act and have released seven. The Government of India have also had under review the case of those who are still detained under Regulation 3. They are considering the case of one of these State prisoners on medical ground. In respect of four others they are satisfied that detention in gaol is no longer necessary and they are, therefore, cancelling the warrants under Regulation 3 so that action may be made to bring them under the Bengal Criminal Law Amendment Act with a view to their transfer to village domicile. It must be understood that the practical results of this action, as exhibited in the conduct of the men thus placed in village or home domicile, require the constant attention of the Government. If it is ascertained that such men are reverting to terrorist conspiracy the Government will not hesitate to deal with those men under their powers. That is our policy at which, as I have said, we have arrived after the fullest and most careful consideration of the matter in all its aspects, and that is my answer to the noble Lord's question on the policy involved.

I have reminded your Lordships that the exercise of powers of this kind is not, unhappily, a new feature in Indian administration. It was necessary, for precisely the same reasons as those now operating, to intern a number of persons during the War. Let me also remind your Lordships that in 1920 a general amnesty of all such persons was ordered in the hope that it would result in the abandonment by them of their dangerous activities. The hope proved fallacious; the conspiracy was revived and a series of outrages followed which was not checked until resort was made to the present legislation. Even now—apart altogether from the information in the possession of the Bengal Government—it must be sufficiently apparent even to the uninstructed that conspiracy is still at work. No longer ago than in January of this year two men were arrested in the course of house-searches in Calcutta in a room which contained revolvers, ammunition and thirteen cases of bombs, while within the previous thirteen months two other discoveries of a similar but more elaborate nature had been made. I

tell your Lordships plainly that so long as the Bengal Government and the Government of India continue to advise me that the release from restraint of any given individual is likely on reasonable grounds of probability to lead to further outrage, I shall not attempt to set aside their judgment. I shall, on the contrary, support them.

#### Indians in S. Africa.

I turn now to a wholly unrelated subject—the outcome of the recent negotiations on the subject of Indians in South Africa. The noble Lord has referred to the Agreement recently reached between the Union Government and the Government of India regarding the position of Indians in South Africa. I am placing in the library Two Papers, one containing an announcement made by the Government of India last month regarding the results of the Conference, and the other, a more detailed summary of the conclusions reached, which was laid before the Indian Legislature. I do not propose to review in detail the contents of the latter document, but merely to describe in the broadest outline the results attained. The two Governments have agreed to co-operate in a scheme of assisted emigration from South Africa; the restrictive legislation introduced last year will not be proceeded with, and an agent of the Government of India will be appointed in South Africa. I am not able to give the noble Lord with exactitude the information he asked for as to the stage which the arrangements have reached, but the matter is now the subject of discussion. Further, while the right of South Africa to maintain western standards of life has been recognised, the principle has been affirmed that Indians in South Africa who are prepared to conform to such standards should be enabled to do so.

I have described the results of the Conference in the most general terms and with a deliberate economy of language, for I am above all things anxious to give no colour to the belief that one side or the other has gained an advantage. There is no question of this. The settlement, which a year ago seemed impossible, is an honourable one which does credit to both Governments, and was only brought about by the spirit of mutual forbearance and goodwill with which the two Delegations approached this most difficult question and by the resourcefulness applied to the discovery of its solution. Great credit is due to Sir Mahomed Habibulla and to the other members of the Indian Delegation, and I would like, if I may, to pay a sincere tribute to the wisdom and the high statesmanship of General Hertzog and his colleagues in very difficult circumstances. But apart from the many concrete difficulties that have been solved by these negotiations, the Agreement has a higher value in that it marks in my judgment the beginning of a period of cordial co-operation and of more intimate and friendly relations between the two Governments. Each Government has come to appreciate the difficulties of the other; mistrust and suspicion have been replaced by understanding and goodwill, and the complete change of atmosphere that has been brought about is the best augury for the harmonious working of the Agreement and the adjustment of any difficulties that may arise in future.

#### The Rating of the Rupee.

Another matter on which the noble Lord seeks information is the policy of the Govt. of India in relation to the rating of the rupee. I should not have thought that there could be any misconception on this point. A Royal Commission, of which the majority of the members were representative of Indian interests, finding that the de facto rate of exchange had been 1s. 6d. for some time and that a substantial adjustment of prices to this ratio had been attained, recommended, with one dissentient, that in the best interests of India the rupee should be stabilised in relation to gold at that rate. This recommendation was accepted by Government in advance of the other recommendations and a Bill designed to effect the change was introduced into the Assembly in August last. In deference, however, to the not unreasonable desire that the recommendations of the Commission should be dealt with as a whole, consideration of this measure was postponed until the present session.

In the interval a further adjustment of prices to the 1s. 6d. rate has strengthened the case for stabilisation at this ratio, but at the same time an agitation arose

in India in favour of a reversion to the old rate of 1st. 4d. Doubts have been expressed as to the reality of this agitation. I cannot give a definite opinion. It has been suggested that the movement was largely political. We need not, however, happily engage upon these speculations, for the Legislative Assembly, by a narrow majority no doubt, has accepted the Commission's recommendation. That this decision was wise there can be no doubt in instructed opinion, and I am convinced that any other decision would have been in the worst interests of India, involving as it would have done, the long and painful process of readjustment of prices and wages to an entirely new level. As it is, stability of exchange has been attained and this cannot fail to benefit Indian finance and Indian commerce.

Of the other recommendations of the Commission—notably three relating to the establishment of a gold bullion standard and the creation of a Reserve Bank, I need only say that following the announcement which I made to your Lordships last autumn a Bill has been introduced which will, after reference to a Select Committee, be considered later in the year. This Bill is a complicated one and will require more careful consideration but pending its examination by the Indian Legislature your Lordships will hardly expect me to review its provisions.

#### The Indian Budget.

I cannot pass from this branch of my subject without making a brief reference to the budget. I do not propose to inflict upon the House a wearisome review of the Revenue and Expenditure of the present and the coming year. I content myself rather with stating the gratifying fact that for the fourth year in succession the revised estimates disclose a substantial surplus. This surplus amounts to nearly three crores. In the coming year, on the existing basis of taxation and allowing for Provincial contributions, a surplus of more 3½ crores is anticipated. But although these successive surpluses, earned as they have been by the most rigid economy, afford evidence of the soundness of Indian finance, they are particularly welcome as they make it possible to give effect to the policy of progressively extinguishing Provincial contributions. Few realise how injurious to the chances of the Constitution has been the burden of Provincial contributions, chilling, depressing and rendering almost impossible the adequate discharge of these social services, that might have done so much to recommend the novel and difficult Constitution.

Noble Lords are aware that when the Reforms were introduced, an adjustment of Revenue between the Central and the Provincial Governments was required and that to secure equilibrium between Revenue and Expenditure the Provinces were required to contribute in the aggregate 98½ lakhs of rupees each year to the Central Government. The arrangement under which the Provinces contributed to Central Revenue, though in the circumstances inevitable, had very evident drawbacks. The Joint Parliamentary Committee, indeed, placed it on record that Government should so direct its financial policy as to extinguish these contributions at the earliest possible moment, and this policy the Government of India have persistently pursued.

#### Remission of Provincial Contributions.

In 1922-23 Bengal was relieved of its contribution of 63 lakhs, and three years later contributions amounting to 250 lakhs were permanently remitted, apart from the temporary relief of 50 lakhs given for one year to those provinces which had not benefited by the permanent relief then given. In the following year a further permanent remission of 125 lakhs was made, and, as matter now stand, the original figure of 98½ lakhs has been reduced to 54½ lakhs. This year's surplus will, as an exceptional measure, not be used for the reduction or avoidance of debt but will be carried forward and, together with the anticipated surplus for the coming year, will enable the Government to remit permanently another 350 lakhs of these contributions and to remit temporarily, for 1927-8 only, the balance of 195 lakhs. The remainder of the surplus will be set aside to be used to meet initial expenditure involved in the inauguration of the new

currency system and the setting up of the new Reserve Bank with the result that the Revenue and Expenditure of the coming year will, unless we are unfortunate, balance. Noble Lords will thus see that next year the Provinces will be entirely relieved of the obligation to contribute to Central Revenues, a notable achievement due to the courageous skill with which Sir Basil Blackett has administered the finances of India. In the past India has enjoyed the services of a long line of gifted Ministers of Finance, and Sir Basil Blackett has worthily upheld the traditions of his predecessors. He has indeed deserved well of India.

I have dealt at some length on this question of Provincial contributions, because of its reactions on the political situation. I believe that in the past the greatest of all impediments to the successful working of the reforms has been the want of money. When we remember that since the Government of India Act was passed, new burdens have in many cases necessitated retrenchment, one cannot help sympathising with provincial Ministers. Even to tried administrators, retrenchment is always painful and difficult. How much more difficult and how discouraging the process must have been to those new to administration who undertook the responsibility of the Transferred Departments in the hope that they would thus be enabled to advance the well-being of their fellow countrymen! Instead of being able to launch out on new schemes of public works, of education, of public health and sanitation, Ministers in many cases were forced to retrench in every direction. Thus, one of the elements necessary to the success of the reforms has been wanting, and I am confident that your Lordships will share my satisfaction that, by the freeing of the Provinces from the incubus of these contributions, wider opportunities will be given to Indian Ministers to administer more liberally the Departments entrusted to their charge.

#### Army Estimates.

There is one other part of the Indian Budget upon which I must say a few words. Your Lordships may have observed that the Legislative Assembly has rejected the Estimate for the Army Department as a method of protesting against certain features in Army administration; and in the discharge of my responsibility to Parliament it is right that I should offer some observations on the points against which the Assembly has directed criticism. One ground, and perhaps the principal ground, of objection is the standard of military expenditure in India. It may not be out of place at the outset to attempt to remove a misconception which appears to prevail not only in India but in some quarters in this country. A common line of criticism is that the Indian Retrenchment Committee of 1922 recommended that military expenditure should not exceed 50 crores of rupees (let us say £37,000,000) a year, and that Government had failed to give effect to this recommendation. But what did my noble friend Lord Inchcape and his colleagues in fact say? They said:—

“Should a further fall in prices take place we consider that it may be possible after a few years to reduce the military budget to a sum not exceeding 30 crores of rupees, although the Commander-in-Chief (I should explain that this was the late Lord Rawlinson) does not subscribe to this opinion.” That was a very guarded expression of opinion—is was not a recommendation—and what have Government done to give effect to it? They have reduced military expenditure from 65 and one-fourth crores, that is about £49,000,000, to less than 55 crores or about £41,000,000 in the last five years.

The strength of the Army in India has been reduced, wisely or unwisely, by 28,000 men or 14 per cent since 1914. It is true that its cost has nearly doubled, but India can no more expect to escape the financial consequences of the world upheaval than another part of the Empire. In the same period British military expenditure has increased by fifty per cent although its strength has been reduced by sixteen per cent. It must be remembered that owing to the rigid economy of pre-war years, the Indian Army was actually below the efficiency level when War broke out. The fruits of that policy were borne in Mesopotamia and I can assure your Lordships that neither the India office nor the Government of India nor I myself will forget the lesson that was taught there, however short on occasions may be the memory of the Legislative Assembly,



I have referred to the reduction of the strength of the Army in India since the War; but I must add that the progressive reduction was acquiesced in by the Commander-in-Chief, Lord Rawlinson, and approved by the noble Viscount, my predecessor; not as in itself a sound military measure—it was never so claimed, never so defended—but solely because the financial condition of India at that time made retrenchment necessary, and the improvement in the external and internal situation of India made it possible to take a certain amount of risk. I must emphasise this because behind the general complaint against the size of military expenditure lies the suspicion that the Army in India, even on the present footing, far exceeds the actual requirements of the country and thus contains, at Indian expense, a potential reserve which can be, and is intended to be, used for Imperial purposes alone. That suspicion is absolutely without foundation.

The primary purpose of the Army in India has been defined, in a Resolution passed by the Legislative Assembly in 1921 and endorsed by His Majesty's Government, as "the defence of India against external aggression and the maintenance of internal order." So far from its being true that the Home Government keeps troops in India which are not needed by India and can at will be drawn upon for reinforcements elsewhere, almost the exact opposite is the case. It is true that when for the moment conditions in India are peaceful—and this is I think the answer to the specific question which the noble Lord asked me—troops can be temporarily spared from India, as they are being temporarily spared at the present time, to assist in emergencies elsewhere. But neither the Government of India nor I would be likely to conceal from ourselves that by lending troops from the Indian garrison at this moment we are facing a certain risk. It is, we believe, a reasonable risk, or we should not have been justified in taking it, but it is reasonable only so long as the occasion is temporary. Further than that we dare not go.

The strength of an army must be measured, not in relation to which I may term local day-to-day contingencies, a border scuffle one day, a disturbance of the public peace the next, but in relation to wider contingencies which I need not further specify. It is recognised by both His Majesty's Government and the Government of India that in certain contingencies the Army in India will not suffice for "the defence of India against external aggression and the maintenance of internal order," but that we shall have to obtain, should these contingencies unhappily arise, reinforcements from the Imperial Army in order to defend India successfully against a combination of menaces. That is the cardinal fact in the question of the military requirements of India and the military commitments of Great Britain. In face of it, it is surely futile to say that the strength of the Army in India exceeds its requirements as defined by the Indian Legislature itself and to demand that it be reduced still further.

#### An Imperial Concern.

Throughout all these criticisms upon Army administration in India, I detect a belief that these matters are primarily of concern to India alone, that there is no call on His Majesty's Government to take part in them, and that action by His Majesty's Government in this sphere is a kind of bureaucratic interference from Whitehall. If only for the reason which I have already indicated, this is a mistaken view. All these questions, whether they relate to the spread of military training in India, or to the Indianisation of the Indian Army, can only be handled with the necessary degree of success if they are brought under comprehensive survey by an authority competent to examine them from the broadest Imperial point of view. It is not enough to approach them patchially. I had, in fact, last year formed the conclusion that the time had now come to invite the Committee of Imperial Defence to consider the problem of Indian defence as a whole and to take the opportunity of examining certain incidental questions, of which I will refer to two because they have been mentioned in the Legislative Assembly.

The first is the Report of the Indian Auxiliary and Territorial Forces Committee, which requires a broader survey than either the Government of India or the India Office are able to undertake, in so far as it relates to the potential

fighting strength of India which can be placed under military training. The other is the Indian Sandhurst Committee Report, which will in a few days be made available to your Lordships. I shall not be expected to discuss that Report this afternoon, because I have not at this stage received the Government of India's recommendations on it. But I will say this. It is a document of first rate importance, not only in what it contains but even more perhaps in the lines of inquiry which it is bound to initiate; and it presents the problem in a way which necessarily compels us to consider where we now stand and in what direction we may most safely and readily advance. So far as I am concerned, I shall welcome the opportunity and use it to the full.

Quite obviously the problem, so stated, is one of Imperial scope, on which neither the Government of India nor the Secretary of State is qualified to speak with final authority. I felt bound to consider whether we in India might not be well advised not to publish the Report until both the Government of India and His Majesty's Government had had time to examine it and to review the whole problem, including aspects of it which were beyond the range of the signatories. It appeared that this would involve too long delay in publication and, after consulting the Viceroy and those of my colleagues who are primarily concerned, I decided to publish the Report at once with some preliminary indication of the scope of the further inquiries to which it points the way. That will very shortly be done and the next step will be for the Committee of Imperial Defence, after receiving the Government of India's views, to examine the Report as a whole in its relation to those wider aspects of military policy which they alone are competent to appraise.

#### Trades Union Act.

Labour difficulties bulk so largely in India that noble Lords will perhaps expect me to say a word on this subject. The Indian Trade Unions Act, which was passed last year, provides for the voluntary registration of unions, and to registered unions various privileges will be given. The object of the Act, which will come into effective operation as soon as the Local Governments have promulgated regulations, is to encourage the growth of a healthy trade union movement in India, and to assist in the development of responsible associations of workmen, which can be recognised by employers. This cannot, of course, be brought about by legislation, and the future of this movement must depend entirely upon the workers themselves and their leaders. I would be the last to underrate the difficulties which stand in the way. These are enormous, but the passage of this Act should serve to make easiest the creation of stable and responsible unions, and so help towards industrial peace.

#### Further Constitutional Change.

The noble Lord finally asked me to inform him of the prospects of any steps being taken at an early date in preparation for the consideration of further constitutional change. I would ask him in turn, does he feel quite certain that the advancement of that magic date, 1926, which has occupied so much attention in India during the last six years, is now in fact the desire of those who have hitherto urged it with such untiring persistence? I have thought myself that I have seen of late signs among the leaders of Indian opinion of a certain reluctance to rush this fence, if I may be permitted the image, now that the march of time has brought it so unescapably close. But I do not dwell unduly upon that point. Unless Parliament were to decide otherwise, and to amend the law accordingly, a Commission must be instituted not later than the end of the year 1926. Having regard to the known climatic conditions, any advancement of this date must mean that the Commission would be constituted in time to commence its labours in the late autumn of either this year or next. The issue has thus become a somewhat narrow one—so narrow in fact that I hazard the suggestion that ten or even five years hence it will have become difficult to recognise that a choice between 1927, 1928, or 1929 as the date for the initiation of this inquiry should have been one to arouse grave controversy.

However that may be, I decline, as I have stated once before in this House, to make myself the slave of a date, and the decision of this question still lies with

India herself. If the results follow which might reasonably be expected from the fairly favourable auguries disclosed by the past four months, if, that is, it becomes apparent that the present Constitution, with all its faults, is being accepted as the instrument for a serious and sustained effort to collaborate in securing the "better government of India"—to quote the description applied in the Act of 1857—then I see no reason to anticipate that His Majesty's Government and Parliament, if so advised by the Governor-General, will be found over-anxious to insist upon waiting until the ten years period has run its full course. My appeal is still, as it was two years ago, for common sense and reasonableness. The question of political will—the winds has not so far proved very profitable. Mar it hereafter. An intelligent discharge of existing powers is a powerful argument for their extension; an irrational obstruction a powerful argument against. The critical months which we await will determine the decision, and I earnestly hope that at long last we shall meet a sanity and sobriety of action which will encourage and fortify those who established the present Constitution in the hope of witnessing its evolutionary extension.

#### Constitution Not A Failure.

The Marquess of READING said he dissociated from the statement of Lord Oliver that the present Constitution must be regarded as a failure. He (Lord Reading) was surprised to hear the noble lord take that view. He refused to regard the Constitution as a failure; he would rather regard it as a ..... erected by the generosity of the British Parliament for the purpose of giving effect to the principles which this country held dear, and to enable India in the future, when she was ready for it, and when she had shown the willingness of spirit which they all desired, to govern herself as part of the British Empire and maintain her position, they hoped for all time, associated with us in the British Commonwealth of Nations. Looking back on the six or seven years which had passed since this Constitution was put into operation he asked how anyone who had studied constitutional history could have expected more to have been accomplished in India during that short period than had actually been achieved. He thought that Lord Birkenhead's speech was a complete answer to the statement that the Constitution was a failure. They all remembered the unfortunate and tragic events of 1919, as a consequence of which the reforms were started under the most unfavourable auspices. As the years progressed he became more confirmed in the opinion that the British Parliament acted wisely in 1919, and that if we had not taken the course we did then we might have been in much greater difficulties at this moment. Everything seemed to point to the peaceful development of constitutional government. He was not suggesting that he took the view that we were ready to make the jump forward which some Indian politicians desired, or had desired in the past—he was not so certain of the present position. If they took the last Session as an example he doubted very much whether it would be just to say that there had been any effort of deliberate obstruction in the sense of attempting to prevent the constitution from functioning. Everything apparently of importance that had been desired had been obtained in the Assembly.

#### Financial Position.

Speaking of the financial position, he said that during the five years from 1919 onwards there was a deficit of 75 millions sterling. It was determined to initiate a new policy and to make the Budget balance if possible. With the assistance of Lord Inchcape's Committee retrenchments were made in expenditure. When he had read articles and listened to debates on economy in this country he had sometimes thought a useful lesson might be learned from the study of the affairs of India. The finance of India emerged from their parlous condition as the result of a policy of retrenchment and economy. There would not be a surplus at this moment if it had not been for the drastic reductions made in expenditure. The result of the administration of financial affairs had been that the provincial contributions to the Central Government had now been abolished—a notable achievement. It had been expected that it would take many years to dispense with these contributions. The financial conditions of India were such that he thought India might be compared very favourably perhaps with any country

other than the United States. In the direction of finance he would ask their lordships to come to the conclusion, not that the Constitution had been a failure, but that, viewed by the light of events, really its achievement was somewhat remarkable.

#### A Qualified Approval.

Viscount HALDANE : My Lords, whatever my noble friend Lord Olivier may not have succeeded in doing, at least he has brought out the two very interesting speeches to which we have just listened. The noble Marquess has defended the Constitution established by the Montagu-Chelmsford Reforms in 1919 powerfully. He has said that he denies that that Constitution was a failure and he has given us, in truth, some record of very valuable things which have taken place under it. I think he is entitled to congratulate himself completely upon the outcome as regards finance. I do not think he exaggerated in the least in that regard, and I was very glad that so cordial a tribute was paid, both by the Secretary of State and by him, to the work of that distinguished administrator Sir Basil Blackett, who worked under him and to whom is due a great deal of credit in connection with the reorganisation of the finance of India. If the only question were whether the Constitution had been a complete failure, I should agree with the noble Marquess that it had not been done under it. But finance is not the whole question, and all I think that my noble friend Lord Olivier intended to convey was that at least it is a Constitution which has not been as fully and generously accepted as we could have hoped, with the result that there has been a good deal of evil.

I shall presently have something to say about what I believe to be the cause of that, but before I do so ; I wish to advert to the speech which the Secretary of State has made. It was a very full speech, it was a very candid speech and I think it was a very useful speech, in as much as he answered nearly every question which had been put to him. It covered so much ground that I cannot hope to traverse it on this occasion when, indeed, I only wish to say a few words on certain specific points. But there were two or three things with which I was glad the noble and learned Earl dealt. He spoke of the Act of 1925 for dealing with disturbances in Bengal. I took an active part in the drafting of that Act. It was settled really between India, in close consultation with the Viceroy, and London. It was limited by general assent to one principle, which was to deal, not with political agitation, not with new political crimes, but with crime under the actually existing law and to take steps to put that down. Anybody who remembers the state of things, in Calcutta in particular, in that year, knows that it was a very dreadful state of things, a state of things in which human life was not safe in the City, and the Act was passed to enable the authorities to deal with that state of things drastically. It was done, and now the question has been raised in India and by some people here whether the time has not come when you might release the whole of the offenders in prison under that Act.

#### Release of Detainees.

Speaking for myself I think it would be inconsistent with the very principle of the Act to release them wholesale. You must deal with their cases individually. They are being dealt with individually. A considerable number are out on probation. I hope that that is a process which may be carried still further, and I do not quarrel in the least with the principle that the noble and learned Earl laid down, that you must go cautiously. But you must to some extent review the decisions come to on the spot about individual cases. I know it is very difficult, and I am very much against interfering with local people in ordinary matters but when it comes to life and liberty then you have a very serious state of things, particularly when there is a powerful public opinion observing you. Accordingly I hope that the noble and learned Earl, while adhering to the principle that the cases must be dealt with individually and each on its merits, will see to it that they are all disposed of, not in that somewhat happy-go-lucky way which often happens when things are left only to the local police.

### The Army in India.

Another matter on which the noble and learned Earl touched was the Army. It is true that there has been a very powerful movement in India for the reduction of the Indian Army and its cost, and no doubt there is a great force in the contention that the Army is probably kept up on a scale for the resistance of foreign aggression which would not be necessary if India was a perfectly peaceful country left to itself and not apt to become involved in quarrels which proceed between Great Britain and other countries. That is true, but of course we cannot do without an Army in India of at least sufficient size to preserve law and order and to ensure security from some form of attack. But I have often raised a question in my mind which I commend to the consideration of the noble and learned Earl.

It is a question which, as far as I am aware, has never been considered. We maintain two great Armies, one in India and the other the Imperial Army, the Home Army. The Home Army is generally exclusively in this country. When it goes abroad it goes abroad temporarily. I have sometimes thought—and I have discussed this with some of the most eminent military authorities in India—that in these days of rapid transport it would be possible to keep at least some part of our own Home Army, some part of our Expeditionary Force, generally in India. It need not be a large part. A comparatively small part of it would be sufficient to relieve the necessity of keeping up quite as great a military force in India. A short time ago it was obvious that it would have been a good plan because the theatre of probable disturbance was in the Near East, in Iraq and in countries in that vicinity. Then it would have been a convenience to us to have had that part of the Expeditionary Force which we might require close at hand. But that is not so now. I do not think that invasion from the north is a very practical proposition.

It may be that circumstances may change and you may require a larger force, and then the consideration of this new source of addition to the Indian Army, which may be considered on the analogy of the Territorial Force, may become important. I do not think it is possible to come to a decision about so large a question straight off, but I do say that I think we should do well to consider the question whether the Expeditionary Army of this country and the Indian Army should not be in closer relation than they are at the present time. At the present time they duplicate their work to some extent, and it is one of three things which ought to be considered in the Committee of Imperial Defence on a large scale—whether the views of those who think that some part of our forces might remain generally in India (as I say not too large a part), is not a view which ought to be taken into account. I myself discussed this largely in 1924 and 1925 with those who are engaged in considering strategical questions. It is purely a strategical question. It is a question which deserves more consideration than it has ever had. I think it is one that is new so far as the War Office is concerned.

### Reason for Failure of I

Then I come to the question why it is that the Constitution established in 1919 and the reforms of which the noble and learned Earl has spoken and of which the late Viceroy has spoken—why it is that those reforms have not produced as much fruit as we could have hoped for. There is a reason for it. Between India and this country there is a very great difference in spirit and I think that difference in spirit is a difference which is too much overcome. I do not often take part in the discussion of Indian affairs in this House, but for all that I see a great many distinguished Indians, men of learning who come over here and who discuss things in a moderate spirit. I see them very often in my house and I read a great deal of literature with which they furnish me. I wish we had in the library for instance, such a magazine as the review which is published in the University of Calcutta and which contains articles by some of the most able men in India discussing all those questions on which we have been touching to-night. If it were read, then I think it would become apparent that

much of the difficulty about constitutional questions and much of the difficulty about domestic questions in India, is due to the difference of outlook.

At the bottom of almost everything in India is the question of religion. I do not mean any conflict between Hinduism, in the popular idea of it, and Christianity. They have got beyond that. I mean that the Indian is unconsciously a religious person and he brings religious considerations into his citizenship at every turn. The result of that is apparent in his attitude towards your questions and I think you very often do not take account of the fact that you are dealing with persons of a different spirit from your spirit. I take one case. The question of elementary education is a profoundly serious problem in India at this moment. Very little has been done. The amount of ignorance is stupendous. It interferes with everything, not only with the people whom it leaves open to those influences operate so readily on an unguarded mind, but with the supply of administrators and of people to be employed in skilled businesses. As a consequence the education question is being more and more recognised by those who think in India—and they are many—as lying at the root of nearly the whole of the social problem. Practically nothing has been done about it. Now that these financial reforms of which we have been hearing to-night will place the Province in a better position it is possible that the education question may be dealt with by them to some extent. There is another question in which the noble Marquess took a great interest when he was Viceroy and to some extent assisted, and that is the question of agriculture. The development of the study of agriculture in India is a matter of the first importance, and I hope and believe that the development of that study will produce a new class of people in India, more intelligent and able to get a great deal more for you out of the soil.

#### Need to Understand Spirit of People.

All these things show, as writers like Lord Ronaldsday have been impressing upon us in their books, that we have to understand the spirit of the people more than we have done if we want to get rid of the reproach that our measures do not get home to them. I think it is quite reasonable to take time over the fashioning of the Constitution, if only for the reason that was given both by the noble Earl himself and by the noble Marquess. People's minds are very slowly settling down on that question out of a good deal of chaos and controversy. That is not a reason for feeling hopeless. If you turn to the state of Canada as it was even after Lord Durham's time, you will find its Constitution in a condition as difficult as that of India to-day. We shall get out of these difficulties if we maintain an attitude of moderation, and at the same time of definite purpose. I think that the speeches to which we have listened to-night are speeches that give us considerable hope that, with persistence and by seeking to maintain the vast gap that now separates the spirit of those who administer India from those who administered it before the Mutiny in a very narrow fashion, there is at any rate a likelihood that India will by degrees emerge into that light which was prescribed for it at the time when the reforms were instituted.

**LORD OLIVIER THANKED THE EARL OF BIRKENHEAD FOR HIS STATEMENT AND WITHDREW HIS MOTION FOR PAPERS.**

# The Indian Debate in Commons

On the 2ND JUNE 1927 in the House of Commons on a motion for adjournment, Mr. LANSBURY (Labourite) initiated the Indian debate and complained of the discrimination against Indians on the Indian railways and also of the "colour bar" in Britain. He asked for the establishment of an impartial tribunal to enquire into the Kulkati disturbances and demanded the publication of the medical report on which Mr. Bose was released. He said that this was one of the cases that would be remembered in India eternally as the "persecution of a good nationalist" and he urged that the Government should appoint a committee to survey the situation and lead up to the appointment of the Statutory Commission. He was confident that he was voicing the opinion of the Labour Party when he said that it was as anxious as anyone to maintain the British connection with India, but was convinced that it was only maintainable by giving people the right to be masters in their own country.

Earl WINTERTON, responding, said that he did not complain of Mr. Lansbury raising these Indian questions "as Indian debates were only too rare." As regards the ban at Edinburgh, he very much regretted the circumstances, but they were not within the control of the Secretary of State for India nor the Secretary for Scotland. He was glad to hear deprecatory expressions from both sides of the House on June 1st and personally agreed with the other Labourites rather than with Mr. Stiles.

## Revolutionary Crime and Mr. Bose.

As regards the Bengal detentions, the Secretary of State never attempted to disguise the fact that exceptional powers were necessary. Earl Winterton declared that the necessity for them was abundantly proved when they were put into operation in 1924. There had been an organised conspiracy in Bengal to commit revolutionary crimes. Nothing could be more incorrect than Mr. Lansbury's description of Mr. Bose's offence as a "political offence." Mr. Bose broke the law as regards revolutionary crimes under the Indian Penal Code.

Earl Winterton continued that it was impossible for the Bengal Government to guarantee the maintenance of law and order and prevent widespread assassination unless they were empowered to segregate persons responsible for organising and instigating the conspiracy. Moreover, the Bengal Government were convinced that the ordinary trial by jury would endanger the lives of witnesses. Hence powers were taken to arrest those persons. Lord Olivier sanctioned this policy. Earl Winterton had always thought that the Socialist Party accepted what Lord Olivier did.

Earl Winterton pointed out that 46 persons were in jail under the Act, as compared with 26 three months ago and 11 were in jail under the Regulation III as compared with 16, while 95 were detained in villages or homes. He repeated Sir Maitland's statement in the Legislative Assembly on March 2nd and added that Mr. Lansbury would be surprised to learn that there were certain of Mr. Lansbury's general observation with which he (Earl Winterton) and most members agreed. Nobody liked any form of extra-judicial power if it could be avoided. Neither he nor the Government of India were anxious to exercise the powers a day longer than was necessary. He emphasised that these men were there because they were guilty up to the hilt of participating in the operations, which nobody except a few lunatics could condone.

Earl Winterton said that revolutionary crime in Bengal was confined to a small area and had almost disappeared from the rest of India. It alternately boiled up and died down in Bengal. It might be said that it boiled up most when coercive measures were taken and that it was less active when people treated it as Mr. Lansbury's way, but the very opposite was the case mentioned here concerning the number of those who had been given amnesty by Mr. Montagu in 1924.

Regarding Mr. Bose Earl Winterton argued that the fact that the man occupied an important position in no way determined his guilt or innocence, whatever the confidence the Calcutta Corporation might have in Mr. Bose. The Corporation was not quite the reasonable and moderate body that Mr. Lansbury contended it was, but anyway their confidence in Mr. Bose had nothing to do with the matter.

Earl Winterton recapitulated the developments leading to Mr. Bose's release and added that the Government would have done the same thing in the case of any other person but would not make any special arrangements on account of his position in private life. On the matter of publishing the doctor's report, Earl Winterton said that he did not see the reason for altering the usual procedure.

#### The Kulkati Affair.

He was sorry to assume an uncompromising position over the Kulkati affair, but he must refuse to agree to an independent enquiry as it was wholly unnecessary. Lord Birkenhead did not see the reason to doubt the rightness of the course taken by the authorities.

Earl Winterton recited the facts and asked the House to visualise the situations with which the police have always to deal. They did not get thanks for their action, but he was proud to stand up for the body of a most long-suffering men in the British Empire. The Indian Police often showed as much courage, tact and discretion as could be shown by the Metropolitan police in similar circumstances. He was not going to comment on the proceedings which were being considered and judicial proceedings might follow, but "prima facie" there was little doubt that the District Magistrate had to take drastic action or much greater loss of life would have been probable if the crowd got into a conflict.

#### The Royal Commission.

As regards the Royal Commission, Earl Winterton was unable to add to what he and Lord Birkenhead had previously said. It was impossible to announce the date of appointment or the conditions governing the acceleration of date. As regards the composition of the Commission which Lord Birkenhead had naturally to consider, any view expressed in the Commons and Lords he would consider those views when the time came to make a submission to His Majesty with regard to its composition and until then it was impossible, unusual and possibly improper to state the definite names of the gentlemen to be submitted as members.

### Mr. Subhas Bose's Refutation.

On the 5th June 1937, in a communication to the Associated Press, Mr. Subhas Chandra Bose now released from the Mandalay Jail refutes the statement made by Earl Winterton in the House of Commons that the detenus including Mr. Bose under the Regulation and Ordinance were tried before two judges.

None of the detenus has, says Mr. Bose, so far as I am aware, ever been tried before a judge or judges. There has not been even a mock trial. I was never produced before any magistrate or judge nor was I ever told by whom the papers in connection with my case, which had been prepared or fabricated, had been examined either prior to my arrest or would be examined subsequent to it. Some time after my arrest a police officer visited me at the Alipore Central Jail in Calcutta and read out to me a number of allegations which were mis-called charges. As far as my recollection goes, I was accused of being a member of a conspiracy for importing arms, manufacturing explosives and murdering police officers. When I was asked if I had anything to say in reply to the "charges," I said that I was wholly innocent and I demanded trial before a court of law.

In January 1937 I was transferred from the Berhampore Jail to the Mandalay Jail. Under the Bengal Ordinance some time in February the same charges were presented a second time. When I was asked if I would reply to the allegations, I stated this time in writing that I reaffirmed my innocence. I then raised



the question myself as to why I should have got into the bad books of the police. I proved or at least attempted to prove that any predicament was the result of personal malice against me on the part of a high police official. I venture to think that my explanation was, to put it very mildly, certainly as plausible as the case concocted against me by the police. It is not, therefore, true, as Earl Winterton said on a former occasion, that when I was confronted with the charges I declined to reply. Neither is it true as the Home Member of the Government of India said on one occasion, that detenus were made acquainted with the general scope of evidence against them.

In October 1926 a police official interviewed me in Mandalay and in the course of conversation with me he attempted to say that there was documentary evidence against me. I challenged him to produce it and asserted that there could not possibly be any such evidence against me and that if he would still persist in saying there was I could not help saying that that evidence must have been forged. The official in question therefore observed discreet silence, possibly because he felt the game was up.

Referring to the statement of Earl Winterton that the detenus were guilty up to the hilt of taking part in assassination, Mr. Bose says that during the last five or six years, in a province the population of which is about fifty millions, there has been one single case of political assassination, namely, the murder of Mr. Day. There is no one who did not or does not condemn the murder and if this and its sequel prove anything they prove that the ordinary law of the land was sufficient to cope with any form of violence whatever its motive might be.

Mr. Bose next refers to the murder of the Sankaritola Postmaster, Mr. Santi Chakravarti, and Rai Bahadur Bhopendra Nath Chatterjee, in all of which cases he holds the ordinary law of the land would suffice to bring to book those who were responsible for the outrages and adds that it would not be fair for the authorities to make use of these murders as arguments for justifying the Ordinance or Regulation.

Regarding the assassination and intimidation of witnesses in political cases, the apprehensions of Earl Winterton, he says, are entirely without foundation. A large number of recent cases which the police regard as political and which have been tried in open court have disapproved this contention and one is surprised that the Under Secretary of State for India should still continue to trot out such worthless and repeatedly exploded arguments for bolstering up a thoroughly discredited policy.

Mr. Bose agreed with Earl Winterton that the fact that a man occupies an important position in no way determines his guilt or innocence. "I have never claimed any immunity from the operation of law by virtue of any position in private or public life. We are all equal in the eye of the law and we desire to remain so. If we break the law as we did in December 1921 we shall do so openly and we shall carefully accept the consequences as we did then. In the present case we have not broken the law and we have not violated any section of the Indian Penal Code. It is therefore but natural that we should feel that we are being persecuted not for complicity in revolutionary conspiracy but for setting up a strong political organisation by means which are open and above board."

Mr. Bose concludes :—"Except that some obliging gentlemen have occasionally come forward with a broken revolver or picked up a bomb shell and offered themselves for arrest, whenever there has been talk of releasing detenus, there has been no crime in the province which may be called revolutionary during the last few years and certainly not during the last twelve months. A perusal of Earl Winterton's speech gives one the impression that either he is deliberately indulging in an erroneous statement and half-truth or has been completely misinformed by men on the spot about the exact position of affairs in this unhappy province. Either alternative affords us poor consolation and little solace."

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# The India Office Estimates

HOUSE OF COMMONS—17TH JUNE 1927.

The India Office Estimates were discussed in the Commons on the 17th June. Contrary to the usual practice, the debate did not open with the Estimates speech by Earl Winterton. The Opposition had selected the subject of India for to-day at short notice. Consequently, it was arranged that Earl Winterton should formally move the Estimates and then there should be a general discussion, to which Earl Winterton would reply, and the Estimates should be re-discussed at a later session, when Earl Winterton would make the Estimates speech. Mr. Patel and Lord Sinha were present in the Distinguished Strangers' Gallery.

Mr. LANSBURY opened the debate by enquiring with regard to the Reforms and the establishment of Reforms Commission, etc. Referring to Mr. Patel's presence, he pointed out that there was a vital difference between the Commons and the Assembly in India, because the Commons, when it passed a law or a resolution, had the power to see that it was carried into effect but that did not happen in India.

Referring to Mr. Bose Mr. Lansbury read a telegram from Mr. Bose declaring that no detenus had ever been tried before any judge and that he himself had never been produced before a Magistrate or a Judge. He was never acquainted with the nature of the evidence against him. He had challenged the police to produce documentary evidence, but they were silent.

Mr. Lansbury declared that the Trade Unions Act for India was a step towards the right direction, although it was a very halting step. The labourites would have liked to see a very much broader measure. He concluded by MOVING THE REDUCTION OF £100 FROM THE ESTIMATES.

Mr. Warlaw-Milne expressed appreciation of the tone of Mr. Lansbury's speech. Discussing what would happen in 1929 when the Reforms would be considered, he expressed the opinion that it was impossible to do anything more than extend the progress already made.

Mr. Baklatvala repudiated the idea that gradual reform would remedy the grievances of the Indian people. There was no middle course between slavery and freedom.

Earl WINTERTON, replying to the debate, said he could make no announcement with regard to the date of the Statutory Commission, except to say that the interval remaining before the time, when, under the act, the Commission must be appointed was now so rapidly diminishing that the question of the precise date of the assembling of the Commission was fast becoming one in which matters of practical convenience bulked almost as largely as questions of policy. It was an open secret that the Government of India were collecting data to submit before the Royal Commission. If the Commission was brought into operation before the exact time prescribed by the act, Government would have to seek the approval of Parliament and it would do so without hesitation. Under the Government of India Act, it would be necessary, in due course, quite apart from the question of time, to obtain Parliament's approval to submission to His Majesty of the proposed personnel of the Commission.

Replying to Mr. Lansbury's remarks with regard to the Assembly in India, Earl Winterton, emphasised that the debates in the Assembly and Councils had influenced the course of Government more strongly than was contemplated when the act was passed. Nothing could be further from the truth than the statement that the members of the Assembly and their electors were powerless. He would be most surprised if the Royal Commission, when it came to consider the matter, did not confirm his view. He expressed the opinion, that the constitutional machine in India appeared to be working with less jolting and vibrations than a year ago and with fewer attempts to paralyse it and there was a growing

appreciation of its merits and the merits of the Reforms. Probably, the improvement in the financial situation, the growing scepticism of the value of pretensions of the more extreme critics of the Government of India, and the feeling, that energies should be husbanded for the next stage when the Statutory Commission appeared on the scene, were all factors, which led to the improved situation.

Referring to the Hindu Moslem agreement regarding joint electorates, Earl Winterton expressed regret that the statements and speeches of representatives of the two communities did not give great hope that the so-called agreement would be recognised by private people.

Referring to the Royal Commission on Agriculture, Earl Winterton emphasised that the evidence of witnesses did not necessarily represent the view of the Government. He personally was of opinion that the Commission would find not all the complaints against Indian agriculture to be justified. He cited the opinion of the Director, Government Demonstration Farm in Bengal, that the Commission might find that the ancient implements such as wooden plough were the best instruments for cultivation of small plots of land in Bengal.

Earl Winterton concluded with a strong defence of the action of the Government with regard to the Bengal detenus.

MR. LANSBURY'S MOTION WAS REJECTED BY 173 VOTES TO 45. THE DEBATE WAS THEN ADJOURNED.

#### HOUSE OF COMMONS—8TH JULY 1927.

Mr. Patel and other distinguished Indians were present in the gallery, when Earl Winterton opened the continuation of the debate on India Office Estimates in the House of Commons on the 8th July.

Earl WINTERTON reiterated that, save in very exceptional cases, where the action proposed would raise national and imperial difficulties, His Majesty's Government did not regard themselves at liberty to interfere when agreement had been reached between the Government of India and the legislature. From personal knowledge Earl Winterton knew that Mr. Saklatvala did not represent one-half of one per cent of the views and sentiments of the community, which he posed as representing. Indeed, he had been approached by more than one distinguished Indian in public life, asking how to get into touch with representatives of Liberal and Conservative parties with a view to standing for election to counteract the idea that Mr. Saklatvala in any way represented the majority.

Earl Winterton contrasted the conflicting schools of opinion. Firstly, those who, whilst they grudgingly admitted certain benefits of the British connection with India, contended that the bulk of population was as miserable, poor, diseased, ignorant and under-led as previously and all would be changed with Swaraj. Secondly, those who, while admitting the inadequate margin of subsistence of Indian workers, claimed that, since the British came, there had been a great improvement, which would have been greater but for the lack of co-operation and the obstructive attitude due to the inherited customs of Indians themselves. The latter also held that the growth of the Indianisation of services and the devolution of power resulted in the deterioration of administration. Earl Winterton rejected the first thesis and was unable to accept the second without qualification. He pointed out that much of the health and welfare of Indians depended on the efficiency of the municipalities and district local boards, whose activities could not be surveyed in the Commons. Probably, the diarchical system provided an inadequate financial stimulus to the transferred subjects, because, while ways and means of finance were generally not matters for which the ministers were responsible and as long as the reserved departments could be represented as having the first call on the provincial funds, it was always possible for a Minister and his followers to persuade themselves that the principle, that socialism was unattainable without paying for it, did not apply to them and to actual power in their hands.

Earl Winterton drew attention to the conflicts of opinion and criticism as, for example, Mr. Gandhi's contention, that roads, railways and mills did not

appeal to the soul of India, while other critics accused us of utter indifference for the prosperity of the people. It was pathetic to see real sorrow filling the heart and soul of the man who had spent his life in the administration of India having to leave and hand over the work to another. Earl Winterton expressed the opinion, that the difficulty lay in the indifference of the people, especially, due to the inherited views of this life and the next. Obviously, religious observance and custom in a matter like caste, with the accompaniment of child-marriages, the depressed classes and the prohibition of the slaughter of animals must affect the health and vitality of individuals.

Earl Winterton enumerated at length what had been accomplished through the co-operation of Indians and Europeans in various directions and analysed the Indian budget, dwelling on the gradual reduction of the provincial contribution excluding the Bengal contribution, and the decision to use the anticipated recurring surplus for the remission of three and a half crores of contribution permanently. While the feasibility of making a remission of the residue of contributions permanent would depend on the future, nobody was more anxious than the Secretary of State and the Government of India to see the last of the feature of the Indian Reforms finance. Earl Winterton drew attention to the improvement of labour conditions, which synchronised with India's whole-hearted participation in the international labour organisation, and pointed out that India was one of the few countries which had ratified the Washington Labour Convention. (Loud Labour cheers.) Her output of social legislation during the past five years was a remarkable achievement of an oriental country. He paid tributes to Lord Lloyd, Sir Leslie Wilson, and their respective Governments for carrying out great and far-reaching schemes of social betterment. He doubted whether the people realised the amazing progress of agricultural co-operation.

Earl Winterton said that recruiting of Europeans for the services was steadily rising, but they were not getting enough of young Indian Civil Service officers. The Government of India and Lord Birkenhead were carefully watching the position and all necessary steps would be taken to ensure the recruitment of sufficient British officers. The apprehensions regarding the effect of Indianisation must be most carefully considered, when the Government dealt with the Indian Sanctions Committee's Report. As long as we offered, as we must, adequate guarantee as regards conditions and prospects of service, he was confident the Indian Army would continue to be one of the finest careers.

Concluding, he said, he was personally acquainted with more numerous Indians of all parties in public life than any of his predecessors could say. He hoped, without showing effusiveness or a patronising spirit that in culture and education, the leading men among them were not behind the public men of any other country. That, however, was not enough. He had shown the extent to which power to improve the masses rested in their hands, not merely in future but at present under the existing constitution. As far as any custom and tradition barred the way to progress, they could do infinitely more than any Government to influence a change.

#### Other speakers.

Several Conservatives and Labourites followed Earl Winterton. Col. Wedgwood asked the Government to fix a date for the grant of Home Rule when Indians could manage themselves their military and civil affairs and urged the immediate appointment of a Royal Commission. He added that he would like to see Mr. Gandhi on it. Owing to Parliamentary time, Earl Winterton was unable to deal with the matters raised by the various speakers, but picked out the instances mentioned by Mr. Shaw, namely, the alleged beating of a man by a British officer six months ago, which Mr. Shaw said he and a German friend witnessed. Earl Winterton said it was difficult to take action now as Mr. Shaw had not reported the matter to the police which it was his plain duty to do. Earl Winterton therefore described it as a cock and bull story.

A stormy scene then ensued, Earl Winterton charging Mr. Shaw with breach of duty as a citizen in not reporting the matter. The sitting automatically ended at four o'clock and the DEBATE ON THE INDIA OFFICE VOTE WAS ADJOURNED "SINE DIE."

# The Indian Navy Bill

## Second Reading Passed.

The Indian Navy Bill was introduced in the House of Commons by Earl Winterton in February 1927. The Second Reading of the Bill was moved in the Commons on the 9TH MARCH 1927. In moving it Earl Winterton related the history of the Naval Forces in India and incidentally referred to the Royal Indian Marine as a "non-combatant force."

Commander Kenworthy protested against this.

Earl WINTERTON replied that the term had been usually applied to the Royal Indian Marine which for the greater part of its service was a non-combatant force and emphasised that its duties were very important. He paid a tribute to the very valuable service of the Royal Indian Marine during the War and declared that it had during its service good men and true, British and Indian, and the new force would inherit with its new personnel the traditions of a great service. (Cheers). It was in order to name the new force as the Royal Indian Navy. Its functions during peace time would be the training of personnel for war and the maintenance of services required at all times by the Government of India, such as survey and transport work. Eventually the force might undertake the patrolling of the Persian Gulf which would involve a very small addition to the force, but would relieve the Royal Navy of a very arduous and difficult service for Europeans. Obviously most of the provisions of the Bill took the form of legislation by reference. He admitted the general disadvantage of that course, but it was quite impossible to avoid it in the case of the Government of India Bill. India was the only part in the Empire which had a written constitution of that kind and it was impossible to create such a force or even take any important step with regard to Indian legislation without an amendment of the Government of India Act. But amendments, mainly full substitution amendments, were therefore far less cumbersome than amendments of mere words and phrases.

Earl Winterton said the bill did not alter the existing law that Indians should be eligible for Commissions in the Royal Indian Marine. It had been found in practice that the class of educated Indians willing and capable of serving as officers of ships was almost non-existent, but full opportunity would be given to any young Indian who was prepared to be trained as a Naval Officer. The new service would have small numbers and therefore the number of vacancies for new officers, British or Indians, would be very limited, but Indian candidates would be eligible for vacancies when they passed the necessary examinations and had the requisite training. As regards the objection that this was an addition to that naval force of the Empire, he emphasised that the Bill only provided for the service to carry out duties which must always be carried out even if the ideal of universal disarmament of combatant ships materialised. It was not intended that this navy would need any modern combatant ships.

As regards the objection that the Indian Assembly had not been properly consulted, he said there was nothing in the constitutions to the effect that Parliamentary legislation affecting India required the previous approval of the Assembly, nor was there any precedent for it. He pointed out that the Labourites' Commonwealth of India Bill proposing most fundamental changes in the Government of India Act was never discussed in the Assembly. Earl Winterton emphasised that the bill could not come into effective operation in India without consequential legislation by the Assembly and presumably when the Assembly discussed the bill there would be full opportunity to discuss the whole question of the Indian Navy. Moreover, the new Indian Navy would be exactly in the same position and relation to the Assembly as the Indian Army. He commented the bill to the House, because to the best of Lord Birkenhead's belief, it was desired by the people of India.

— Mr. AMMON MOVED FOR THE REJECTION OF THE BILL. He contended that the Indian Marine could have done everything intended in the bill and he could not accept Earl Winterton's statement as wholly covering the ultimate intention. He declared it was absurd to talk of this being an Indian Navy. It was simply an endeavour to supplement the British Navy and impose the cost on the Indian people.

Commander Kenworthy urged that suitable young Indians should be picked who after some years of training would be well able to take their place on board ship. (Earl Winterton: Hear, Hear) The big thing to do would have been to provide that in a grave emergency these forces could be placed at the disposal of the Admiralty with the consent of the legislature.

Mr. Pilcher (Conservative) emphasised that the British taxpayer would bear a large capital expenditure on two additional sloops on Indian waters and declared that the bill gave the Assembly complete control over the personnel and discipline until emergency arose.

Colonel Wedgwood suggested that great steamship lines might be persuaded to take Indian cadets. Indians should be encouraged to become officers in the Air Force, Navy and Artillery.

Mr. Headlam emphasised that as far as the Admiralty was concerned every effort would be made to train Indians who were suitable for officers. The Admiralty intended to treat the Indian would-be officer similarly to the English.

Com. Kenworthy suggested that Indian cadets should be allowed to go to Dartmouth.

Mr. Headlam replied that Indian parents could not be expected to send young boys to England to be trained, but they could be expected to let them come to England when they were older to be trained as officers. That was the intention as far as the naval authorities in England were concerned.

#### A Labour Motion Defeated.

After the bill had been read a second time the Labourites moved that the bill be committed to a committee of the whole House. This motion was defeated by 244 votes to 120. This Labour motion was apparently intended to enable further discussion by the whole House instead of by a limited number of members in the Standing Committee.

The Labour motion for rejection of the Bill was defeated by 245 votes to 117.

#### Report of the Standing Committee.

On the 22ND MARCH the Standing Committee of the House of Commons ordered the Indian Navy Bill to be reported to the House for the third reading.

Com. Kenworthy submitted two amendments requiring the consent of both the Houses of the Indian legislature similarly to British Parliaments as regards the revenues of India and also placing at the disposal of the Admiralty Indian Forces or vessels.

Earl Winterton resisted both the amendments which were finally negatived by 12 votes to 9 and 13 votes to 8 respectively.

Earl Winterton moved a new clause that "any law of the Indian legislature under provisions of sub-sections III and IV and Section I of the Government of India Act may provide for the repeal of any law of the Indian legislature in force at the commencement of this Act regulating Royal Indian Marines but until such repeal the Government of India Act shall, in relation to the Indian Marine, have effect as if substitutions effected by the above-mentioned sub-sections had not been made and as if men or ships belonging to the Indian Marine were naval forces or ships raised by the Governor-General in Council within the meaning of the provisions of sub-sections I and II of Section X."

Earl Winterton explained that the clause made a transitory provision for the continuance of the existing disciplinary measures. When the Bill was enacted the Indian legislature would be empowered to legislate and similarly to regulate the discipline and control of the new force.

The clause was passed without discussion.

### Third Reading Passed.

On the 5TH APRIL 1937 the House of Commons, during the report stage of the Indian Navy Bill, rejected by 254 votes to 113, Mr. Pethick Lawrence's amendment to delete Clause I of Sub-section I. Mr. LAWRENCE said that the Labour Party had substantially agreed to the main object of the Bill, namely the creation of an Indian Navy for the protection of the shores of India, but it proposed to get rid altogether of the provisions enabling the Indian Navy to be used for other purposes such as the despatch to anywhere abroad of a part of the Indian Navy.

Earl WINTERTON said that what was proposed under the Bill was exactly the same as had already been in operation as regards the Indian Army and it would be most inconvenient from the administrative viewpoint, if the Navy was put on a different basis. Earl Winterton placed a great deal of reliance on Indian public opinion. He had paid a lot of attention to the opinions expressed, but the opinion advocated in the amendment had not been expressed by any responsible person. The amendment would preclude the use of the Indian Navy for Imperial purposes. No such restrictive covenant applied to the Dominion navies. Indian opinion would say that the new force was placed in a humiliating position compared with the Dominion navies, if it was only used in Indian waters. He emphasised that in the Great War, India had as much defended the North Sea as the Indian Ocean.

Earl Winterton objected to a fundamental alteration in the Bill, firstly, on account of the great administrative inconvenience; secondly, it was unreasonable to create an anomaly, which would be created if the Indian Army was subject to one set of legislative enactments and the Indian Navy to another; and, thirdly, no such limits need be placed to the patriotism of the people who were likely to join the Indian Navy. It was most unlikely that the Indian Navy would be widely used outside Indian waters in war, but possibly in a big naval war these ships might be used for other purposes. He challenged Mr. Lawrence to find any Indian amongst the types accustomed to defend their country in the past, who would not say it was a reflection on their patriotism to suggest that they were willing to fight in Indian waters and not elsewhere.

#### Mr. Kenworthy's Amendment.

After declaring that he would have liked to amend the Government of India Act so that Indian troops might not be used outside India, without the consent of the Indian Legislature, Commander KENWORTHY moved an amendment to Clause 1 Sub-Section 2 providing for the omission of the words "without the consent of both Houses of Parliament". He said that the safeguard inserted in the Bill with regard to the consent of Parliament when the Indian Navy would be used by the Admiralty took over the force for services elsewhere than India that we should pay.

Earl WINTERTON, replying said that he did not think that these words in the clause would offend the susceptibilities of Indians, because it was exactly the same provision as applied to the Army, which could not be used outside India and paid for out of Indian revenues without the consent of both Houses. This procedure had been adopted in the case of the Army for years past and had been found to be satisfactory. It was extremely unlikely that Parliament would ever be asked to vote the revenues of India for this purposes and the power was only conferred as it was considered the most convenient and most proper method of procedure, should an emergency arise. Indeed it was most unlikely that the Sub-Section would be put into operation at all.

Earl Winterton said that the effect of the amendment, if carried, would be that India under no circumstances would be asked to provide for money to defray the expenses of any vessel used outside the Indian territorial waters. He did not believe that the House was anxious to impose that sort of restrictive covenant upon the Indian people. He refused to believe that Indian patriotism was of such restrictive character. This amendment was tantamount to saying

that at no time, however much it might be desired by Indian public opinion and despite what had been said by some members he believed it would be desired. Under no circumstances would they give money, if they wanted to, for general naval defence.

Col. WEDGWOOD raised the question of the payment of India's Troops in the Great War.

Earl Winterton replied that they were paid for by the Imperial Government and India gave a large sum towards the expenses of the war. He thought the effect of the amendment would be to prevent India from doing the same in case of her navy.

The amendment was rejected by 294 votes to 126.

#### Mr. Kenworthy's Amendment.

Com. KENWORTHY moved another amendment requiring the consent of both Houses of Indian Legislature to the payment of expense of vessels not employed outside Indian naval defence. He declared that he moved the amendment not to wreck the Bill but because he wanted to see this navy become a symbol of freedom.

Earl Winterton said that most people would largely agree to considerations mentioned by Com. Kenworthy but the adoption of the amendment would not be regarded in India as a gesture of goodwill and equally, if it was not adopted there was nothing in the sub-clause to offend Indian susceptibilities. He was convinced that the very important question of principle which Com. Kenworthy had raised was not affected by the clause. Moreover, it was never pretended that in the present transition stage of Indian Constitution India, through the Assembly, had full control over her revenues. It had been asked that there should be a Commission of enquiry into the relation between the House of Commons and India and until the Commission was appointed and the whole question investigated any Government bringing a bill like this would apply to the Indian navy the same provisions and form of procedure as applied to the army. The point was not a fresh one and he hoped the House would come to an early decision.

The amendment was rejected by 272 votes to 126.

Speaking on the motion for the third reading of the Bill, Mr. HEADLAM explained that the whole point of the Bill was to carry out the acknowledged policy of the British Government by degrees to give Indian people more and more interest in their own defence. At present India's naval defence lay with the Admiralty and the Bill aimed at gradually transferring the responsibility for looking after India's naval defence. This and the gradual granting of Self Government could not be done in the twinkling of an eye. This Bill was one further stage in the policy of bringing India to the same position as the other Dominions of the Crown.

The Bill was then read the third time and passed by 256 votes to 122.

### The Navy Bill in the Lords.

On the 28TH APRIL 1927 the House of Lords passed the second reading of the Indian Navy Bill. In moving it Lord BIRKENHEAD said that the Bill aimed at the development of Indian Navy from the existing status of Royal Indian Marine into an instrument which, though primarily designed for Indian local naval defence alone, would also be fitted to form one of the groups of overseas navies, co-ordinated by common tradition and common policy of Imperial naval interest. Simultaneously the Bill would bring the Indian naval defence into proper place within the Indian Constitution. India would thus have an opportunity of taking her place among the overseas members of the Empire maintaining local navies capable of co-operating in a combined policy of naval defence. The general policy of development now contemplated had more than once received the assent of the Imperial Conference but naval defence was at present outside the ambit of the Government of India Act and the Government of India had no voice in it. There was no position such as existed in the Indian Army for Indians themselves to be trained as



combatant naval officers in the Indian naval force. The Bill would rectify these anomalies. The Bill, therefore, did not alter the framework of the Indian Constitution, but there was room within the framework for the introduction of a sphere of administration, such as naval defence, and the Bill purported to effect its introduction without disturbing the main structure. Lord Birkenhead paid a tribute to the fine record and unsparing services of the Royal Indian Marine in the long and critical period of its history and said, "If it is now to pass, I hope its members will find more pleasure than regret in the occasion of its passing and follow with pride the career of the Indian Navy, which the Indian Marine alone has made it possible to create."

Lord HALDANE supporting the Bill on behalf of the Labour party said that the Bill would be criticised, because it empowered the Government of India to create an Indian Navy in addition to the Indian Army, thus enabling further expenditure of Indian revenues to be incurred on defence.

Lord Haldane however pointed out that India, for military purposes, was an island and could not be succoured from the North, while the British navy might sometimes be unable to be there to protect the country from the sea, in which connection he instanced the case of "Emden" in wartime, when India was without a navy of her own. He also suggested that a portion of the military forces of the crown, which were kept in Britain, might be located in India, and thus save Britain's sending out battalions to India and save India somewhat from the duty of maintaining as large an Indian army as she at present deemed desirable.

The Bill was then read and committed to a Committee of the Whole House.

### Text of the Indian Navy Bill.

The following is the text of the provisions of the Indian Navy Bill, presented to the House of Commons on the 25th February 1927, to amend the Government of India Act with a view to facilitating the provision of an Indian Navy and to make consequential amendments in the Naval Discipline Act:

Be it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1. With a view to facilitating the provision of an Indian navy, the following amendments shall be made in the Government of India Act:—

(1) At the end of section twenty-two the following new sub-section shall be inserted:—“(2) Where any naval forces and vessels raised and provided by the Governor-General in Council are in accordance with the provisions of this Act placed at the disposal of the Admiralty, the revenues of India shall not, without the consent of both Houses of Parliament, be applicable to defraying the expenses of any such vessels or forces if and so long as they are not employed on Indian naval defence.”

(2) After section forty-four, the following section shall be inserted:—“44-A. Any naval forces and vessels which may from time to time be raised and provided by the Governor-General in Council shall be employed for the purposes of the Government of India alone, except that if the Governor-General declares that a state of emergency exists which justifies such action, the Governor-General in Council may place at the disposal of the Admiralty all or any of such forces and vessels, and thereupon it shall be lawful for the Admiralty to accept such offer.”

(3) For paragraph (e) of sub-section (1) of section sixty-five, the following paragraph shall be substituted:—“(e) For all persons employed or serving in or belonging to any naval forces raised by the Governor-General in Council, wherever they are serving, in so far as they are not subject to the Naval Discipline Act: and”

(4) For section sixty-six, the following sub-section shall be substituted:—“66. Subject to the provisions of this Act, provision may be made by the Indian Legislature for the application to the naval forces raised by the Governor-General in Council of the Naval Discipline Act, and that Act, if so applied, shall have

effect as if references therein to His Majesty's Navy and His Majesty's ships included the forces and ships raised and provided by the Governor-General in Council, subject, however—(a) in the application of the said Act to the forces and ships raised and provided by the Governor-General in Council, and the trial by court-martial of officers and men belonging to those forces, to such modifications and adaptations (if any) as may be made by the Indian Legislature to adapt the Act to the circumstances of India, including such adaptations as may be so made for the purpose of authorising or requiring anything, which under the said Act is to be done by or to the Admiralty or the Secretary of the Admiralty to be done by or to the Governor-General in Council or by or to such person as may be vested with the authority by the Governor-General in Council; and (b) in the application of the said Act to the forces and ships of His Majesty's Navy not raised and provided by the Governor-General in Council, to such modifications and adaptations as may be made by His Majesty in Council for the purpose of regulating the relations of the last-mentioned forces and ships raised and provided by the Governor-General in Council: Provided that, where any forces and ships so raised and provided by the Governor-General in Council have been placed at the disposal of the Admiralty, the said Act shall apply without any such modifications or adaptations as aforesaid.

2. In sub-section (1) of section ninety-B of the Naval Discipline Act, after the words "self-governing dominion" wherever they occur, there shall be inserted the words "or of India."

3. (1) This Act may be cited as the Government of India (Indian Navy) Act 1927.

(2) Sub-section (2) of section forty-five of the Government of India Act, 1919 (which relates to the effect of amendments and the printing of the Government of India Act), shall have effect as if herein re-enacted and in terms made applicable to the amendments of the Government of India Act effected by this Act.

The Royal Assent to the Indian Navy Bill was given on the 29th June 1927.

# Indians in South Africa

## The Round Table Conference.

It was announced in April 1926 that the Government of India and the Government of the Union of South Africa have agreed to hold a Round Table Conference to explore all possible methods of settling the Indian question in the Union in a manner which would safeguard the maintenance of Western standards of life in South Africa by just and legitimate means. The Conference assembled at Cape Town on the 17th December 1926 and its session finished on the 12th January 1927. There was in these meetings a full and frank exchange of views which resulted in a truer appreciation of mutual difficulties and a united understanding to co-operate in the solution of a common problem in a spirit of friendliness and goodwill.

In both the Houses of the Legislature, the Govt. communique embodying the main points of agreement arrived at between the Union Government and the Government of India were read on the 21st February 1927 and the annexure giving in greater detail the terms of agreement were laid on the table. Mr. Bhoré, in a short speech, made brief comments to help the members of the Assembly to follow the agreement more easily. The following are the terms of the agreement :—

### Terms of Agreement :

(1) Both Governments reaffirm their recognition of the right of South Africa to use all just and legitimate means for the maintenance of Western standards of life.

(2) The Union Government recognises that Indians domiciled in the Union who are prepared to conform to Western standards of life should be enabled to do so.

(3) For those Indians in the Union who may desire to avail themselves of it the Union Government will organise a scheme of assisted emigration to India or other countries where Western standards are not required. The Union domicile will be lost after three years continuous absence from the Union. In agreement with the proposed revision of the law relating to domicile which will be of general application, emigrants under the assisted emigration scheme who desire to return to the Union within three years will only be allowed to do so on a refund to the Union Government of the cost of assistance received by them.

(4) The Government of India recognise their obligation to look after such emigrants on their arrival in India.

(5) Admission into the Union of wives and minor children of Indians permanently domiciled in the Union will be regulated by paragraph 3 of resolution XXI of the Imperial Conference of 1918.

(6) In the expectation that the difficulties with which the Union has been confronted will be materially lessened by the agreement now happily reached between the two Governments and in order that the agreement may come into operation under the most favourable auspices and have a fair trial, the Government of the Union of South Africa have decided not to proceed further with the Areas Reservation and Immigration and Registration (further provision) Bill.

(7) The two Governments have agreed to watch the working of the agreement now reached and to exchange views from time to time as to any chances that experience may suggest.

(8) The Government of the Union of South Africa have requested the Government of India to appoint an Agent in order to secure continuous and effective co-operation between the two Governments.

### Details of the Agreement.

The following is the annexure containing a summary of the conclusions reached by the Round Table Conference on the Indian question in South Africa :—

#### I.—The Scheme of Assisted Emigration.

(1) Any Indian of 16 years or over may avail himself of the scheme. In the case of a family, the decision of the father will bind the wife and minor children under 16 years.

(2) Each person of 16 years of age or over will receive a bonus of £20. No maximum shall be fixed for a family. A decrepit adult, who is unable to earn his living by reason of physical disability may, at the discretion of the Union authorities, receive a pension in lieu of or in addition to the bonus. The pension will be paid through some convenient official agency in India out of a fund provided by the Union Government to such amount as they may determine. It is expected that the amount required will not exceed £500 per annum in all. In every case the bonus will be payable in India on arrival at the destination or afterwards through some banking institution of repute.

(3) Free passage including railway fares to the port of embarkation in South Africa and from the port of landing in India to the destination inland will also be provided.

(4) Emigrants will travel to India "via" Bombay as well as "via" Madras. Emigrants landing at Bombay will be sent direct from the ship to their destination at the expense of the Union Government. The survey and certification of ships shall be strictly supervised and conditions on voyage especially in respect of sanitary arrangements, feeding and medical attendance improved.

(5) Before a batch of emigrants leaves the Union, information will be sent to some designated authority in India at least month in advance giving (a) a list of intending emigrants and their families; (b) their occupation in South Africa and occupation or employment which they would require in India and (c) the amount of cash and other resources which each possesses on arrival in India. Emigrants will be (i) advised and so far as possible protected against squandering their cash or losing it to adventurers and (ii) helped as far as possible to settle in occupations for which they are best suited by their aptitude or their resources. Any emigrant wishing to participate in emigration schemes authorised by the Government of India will be given the same facilities in India as Indian Nationals.

(6) An assisted emigrant wishing to return to the Union will be allowed to do so within three years from the date of departure from South Africa. As a condition precedent to re-entry, an emigrant shall refund in full to some recognised authority in India the bonus and cost of passage including railway fares received on his own behalf and if he has a family on behalf of his family, a pro-rata reduction will, however, be made (i) in respect of a member of the family who dies in the interim, a daughter who marries in India and does not return and (ii) in other cases of unforeseen hardship at the discretion of the Minister.

(7) After the expiry of three years, the Union domicile will be lost in agreement with the proposed revision of the law relating to domicile which will be of general application. The period of three years will run from the date of departure from a port in the Union and expire on the last day of the third year, but to prevent abuse of the bonus and free passage by persons who wish to pay temporary visits to India or elsewhere, no person availing himself of the benefits of the scheme will be allowed to come back to the Union within less than one year from the date of his departure. For purposes of re-entry within the time

limit of three years, the unity of the family group shall be recognised, though in cases of unforeseen hardship the Minister of the Interior may allow one or more members of the family to stay behind. A son who goes with a family as a minor, attains majority outside the Union, marries there and has issue, will be allowed to return to South Africa but only if he comes with the rest of his father's family. In such cases he will be allowed to bring his wife and child or children with him. But a daughter who marries outside the Union will acquire the domicile of her husband and will not be admitted into the Union unless her husband is himself domiciled in the Union.

## II.—Entry of Wives and Minor Children.

To give effect to paragraph 3 of the Reciprocity Resolution of the Imperial Conference of 1918 which intended that an Indian should be enabled to live a happy family life in the country in which he is domiciled, entry of wives and children shall be governed by the following principles:—

(a) The Government of India should certify that each individual for whom a right of entry is claimed is the lawful wife or child as the case may be of the person who makes the claim.

(b) Minor children should not be permitted to enter the Union unless accompanied by the mother, if alive, provided that (i) the mother is not already resident in the Union and (ii) the Minister may in special cases permit entry of such children unaccompanied by their mother.

(c) In the event of divorce no other wife should be permitted to enter the Union unless proof of such divorce to the satisfaction of the Minister has been submitted.

(d) Definition of a wife and child as given in the Indian Relief Act (No. 22 of 1914) shall remain in force.

## III. Upliftment of the Indian community.

(1) The Union Government firmly believe in and adhere to the principle that it is the duty of every civilized Government to devise ways and means and to take all possible steps for the uplifting of every section of their permanent population to the full extent of their capacity and opportunities and accept the view that in the provision of educational and other facilities a considerable number of Indians who remain part of the permanent population should not be allowed to lag behind other sections of the people.

(2) It is difficult for the Union Government to take action which is considerably in advance of public opinion or to ignore the difficulties arising out of the constitutional system of the union under which functions of the Government are distributed between the central executive and provincial and minor local authorities; but the Union Government are willing (a) in view of the admittedly grave situation in respect of Indian education in Natal to advise provincial administration to appoint a provincial commission of inquiry and to obtain the assistance of an educational expert from the Government of India for the purpose of such inquiry; (b) to consider sympathetically the question of improving facilities for higher education by providing suitable hostel accommodation at the South African Native College at Fort Hare and otherwise improving the attractiveness of the institution for Indians; (c) to take special steps under the Public Health Act for an investigation into the sanitary and housing conditions in and around Durban which will include the question of (i) appointment of Advisory Committees of representative Indians and (ii) limitation of the sale of municipal land subject to restrictive conditions.

(3) The principle underlying the industrial Conciliation Act (No. 11 of 1924) and the Wages Act (No. 27 of 1925) which enables all employees including Indians to take their places on the basis of equal pay for equal work will be adhered to.

(4) When the time of the revision of existing trade licensing laws arrives the Union Government will give all due consideration to the suggestions made by the Government of India Delegation that discretionary powers of local authorities might reasonably be limited in the following ways:—

(1) The grounds on which a licence may be refused should be laid down by statute.

- (2) The reasons for which a licence is refused should be recorded.
- (3) There should be a right of appeal in cases of first applications and transfers as well as in cases of renewals to the courts or to some other impartial tribunal.
- (4) The appointment of an Agent of the Government of the Union of South Africa to make representations to the Government of India to appoint an Agent in the Union or in order to secure continuous and effective co-operation between the two Governments. The Government of India will be willing to consider such a request.

### Mr. Bhore's Speech.

Mr. BHORE, in commenting on the agreement, said :—The first point in the declaration by the Union Government that they firmly believe in and adhere to the principle that it is the duty of every civilised Government to devise ways and means and to take all possible steps for the uplifting of every section of their permanent population to the full extent of their capacity and opportunities and accept the view that in the provision of educational and other facilities considerable number of Indians who remain part of the permanent population should not be allowed to lag behind other sections of the people. This should dispel any apprehension that the maintenance of Western standards of life does not include upliftment of the Indian community to those standards.

As an earnest of their goodwill the Union Government propose: (1) To advise the Government of Natal to appoint a commission on Indian education; (2) to give attention to the provision of suitable hostel accommodation for Indians at the College at Fort Hare and to consider sympathetically other proposals to increase the alternativeness of that institution for them and; (3) to investigate the position in respect of sanitation and housing in Peri Durban area where the problem is understood to be acute and possibly elsewhere, and to consider in consultation with local authorities the most appropriate means of dealing with the situation including (i) formation of Advisory Committees of representative Indians and (ii) limitation of available municipal land sold with restriction under Durban Land Alienation Ordinance No. 14 of 1922, and Natal Boroughs and Township land Ordinance No. 5 of 1923. These ordinances enable Municipalities in Natal to transfer with the consent of the administrator land belonging to them under restrictive conditions of a racial character as to occupation or ownership. It is hoped that as a result of this investigation the principle of consultation between the Indian community and local bodies in matters of Municipal administration affecting the former may be established and more Municipal land of a suitable nature be made available for Indians for housing purpose. Industrial laws like the Industrial Conciliation Act of 1924, and Wages Act of 1925, will be administered so as to enable Indian employees in industry to take their place on the principle of equal pay for equal work.

#### The new emigration scheme.

The second point is the new scheme of assisted emigration which the Union Government propose to organise for those Indians who may desire to avail themselves of it. The hon'ble members are doubtless aware that section 6 of the Union Act No. 22 of 1924 known as the Indians Relief Act provides for the grant of a free passage from any port in the Union to any port in India to any Indian who makes a written request for such passage and signs as a condition of the grant of such request a statement that he abandons on behalf of himself and his wife and all minor children (if any) all rights possessed by him or them to enter or reside in any part of the Union, together with all rights incidental to his or their domicile therein. This is an essential feature of the existing scheme of voluntary repatriation. Under the new scheme the Union domicile will not be lost except by three years continuous absence from the union in conformity with a proposed revision of law which will be of general application, and an assisted emigrant wishing to return to the union within a period of three years, will be allowed to do so on repayment of the bonus and the cost of passage including railway fare which he may have received on his own behalf, and if he has a

family on behalf of his family. Any objection that there might be to the existing scheme of voluntary repatriation on the ground that it requires of Indians wishing to avail themselves of it an irrevocable surrender of their union domicile is thus removed.

Another feature of the new arrangement is that each person of 16 years or over will be free to choose for himself whether he will or will not avail himself of the scheme of assisted emigration. At present for the purposes of voluntary repatriation from South Africa 21 years is treated as the age of majority, and the union domicile of a person under that age has to be signed away by the father, if the latter wishes to avail himself of the free passage to India. It will be observed that the agreement provides for scheme of assisted emigration to be organised "To India and other countries." The phrase is intended to cover emigration to Indians who may return to India from South Africa to Federated Malay State and Ceylon under scheme of emigration from India to those countries which are now operative.

#### Wives and Minor Children of Indian Residents.

The third point is that in regard to entry into the Union of wives and minor children of Indians resident in the Union, the principle underlying the reciprocity resolution of 1918 will be maintained and that prohibition of entry of this class of persons after the 1st August 1933 which was contemplated in the Areas Reservation and Immigration and Registration (further provisions) bill is no longer envisaged.

#### Indian Representative in South Africa.

The fourth point is that in order to ensure effective and continuous co-operation between the two Governments, the Government of the Union of South Africa have requested the Government of India to appoint their agent in the Union. Direct relations between the two Governments will be permanently established if the Government of India accept the proposal, which is now receiving their earnest consideration.

Lastly, to inaugurate under the most favourable auspices the agreement which has now happily been reached between the Government of India and the Government of the Union, the latter have decided not to proceed further with the Areas Reservation and Immigration and Registration (further provisions) bill.

The Hon'ble Members will appreciate with what relief this decision will be received by the Indian community in South Africa. It is unnecessary to attempt an elaborate appreciation of the results of the Conference of which a brief summary has been given. The Hon'ble Members must judge for themselves. In doing so, it is hoped they would bear fully in mind the position as it was a year ago. The Government of India are of opinion that the agreement reached is eminently satisfactory and they have decided to ratify it. They are confident that the considered judgment of the Indian Legislature will be in favour of the action they have taken. The terms of the agreement reflect the utmost credit in our Delegation which negotiated it. The Government and the people of India owe a great debt of gratitude to the Delegation for the sagacity, skill, and expedition with which they accomplished a difficult and delicate mission. Nor must we forget the services of the Paddison Deputation whose admirable preliminary work made a Round Table Conference possible; but it will be readily admitted that these satisfactory results could not have been secured unless the Government of South Africa had entered the Conference in a spirit of friendliness and goodwill. In the reception which they gave to our delegates to the Conference and in the courageous and sympathetic statesmanship which their representatives brought to bear on the solution of the Indian problem in South Africa, we have received unmistakable proof of the earnest desire of the Government and people of the Union. The agreement which has to-day been announced to the house is a convincing proof of their goodwill. Let us treat it as such and endeavour to make it the basis of a lasting friendship between India and South Africa. It is not suggested that all outstanding questions between the two countries have been solved; but the Government of India are confident that if the spirit that prevailed at the recent Conference at Cape Town endures, the

ultimate solution of the Indian problem in South Africa in a manner that will be satisfactory and honourable to both countries is assured.

### Dr. Malan's Speech.

On the same day, the 21st February, Dr. MALAN also made a statement in the Union Assembly on the South African Agreement. He emphasised that the agreement had been reached in the entire absence of spirit of bargaining and it had been a whole-hearted settlement. The results were not a diplomatic victory for either side, but there had been reached an honourable and friendly understanding. Naturally, South Africa had made reservations as to the just administration in the Union and Indians on their side had their own ideals. Both, however, had agreed to what, if not the ideal solution, was a practical and peaceable one and they had decided to give it a fair and reasonable trial. The Minister urged that the most important feature of all was that no stigma of racial inferiority was implied. South Africa could take all just and legitimate measures as to her western standard of civilisation and Indians conforming to those standards were enabled to do so. Indeed, the agreement indicated a lasting friendship and good-will between the great nations concerned.

Doctor Malan paid a tribute to the Members of Parliament, the Indian Press and the people of South Africa in creating an atmosphere which ensured the Conference being successful and this atmosphere had been so remarkable a feature of negotiations. The Minister concluded that now that the agreement had been published the expression of view could be expected, but he knew that once again he could rely on the good sense not only of Parliament but of the press and the people of the Union.

He paid a sincere tribute to the leader and members of the Indian deputation whose sincerity and desire for satisfactory solution had been the essence of statesmanship. Parliament and country hoped that success would crown their efforts for a new era both from the view-point of this country and the country which they served.

General SMUTS then asked that in view of the importance of the question the Government should give an opportunity for discussion. The Prime Minister willingly assented.

### Debate in the Union Assembly.

The Assembly debate at Cape Town held from the 15th to 19th March was bitterly hostile to the Agreement, especially Natal. Mr. Patrick Duncan favourably supported it. But the ordinary members of all parties in the Assembly were hostile, though responsible leaders were sympathetic.

Mr. COLINS, Transvaal, opening the debate, stated that the whole white South Africa was grievously disappointed. The Union had been betrayed, surrendering everything and gaining nothing. The Agreement was entirely one-sided. No provision under it would effectively encourage Indian repatriation. The agreed statement between the two Governments upon this issue was useless, extravagant, and foolish from the Union viewpoint. The promise of trade licence denoted a tremendous concession. Indeed, it was a complete reversal of the current Transvaal policy. Mr. Tielman Roos had pledged the Nationalists Party to turn out the Indians. This Agreement kept them in the Union.

Mr. NEL, Natal, followed, saying that Indian delegates had cleverly jockeyed Dr. Malan into a funk hole. "We shall fight to the bitter end and win. We shan't run into the funk hole like the Minister of the Interior.

Dr. MALAN said that the clauses of the immigration scheme depended on the co-operation of the India Government. He hoped that nothing would be said to make that co-operation impossible. He paid a tribute to all sections of the community for keeping the whole question outside the party politics, but deprecated the speeches of Mr. Collins and Mr. Nel. He declared emphatically that



nothing had been given away and asserted that if the present arrangements were unworkable or unsatisfactory the Union would have the right at any future time to pass legislation dealing with the Indian question. What he said verbatim is as follows :—

"It will be obvious that the agreement which has been reached is more in the nature of an honourable and friendly understanding than of a rigid and binding treaty. By their decision not to proceed with the particular legislation which was contemplated last year, the Union Government has not in any respect or to any extent surrendered their freedom to deal legislatively with the Indian problem whenever and in whatever way they may deem necessary and just."

## The New Asiatic Bill.

The points in the Agreement was embodied in a Bill styled the Immigration and India Relief (further Provision) Bill. This was laid on the table of the Assembly by Dr. Malan on the 12th April and introduced on the 9th May. On the latter day, Dr. MALAN, introducing the measure, stated that the Bill mainly implemented the Round Table Agreement with the Government of India. He detailed the provisions of the Bill and pointed out that 600 minor children were still entering the Union annually through the loophole left in the Indian Relief Bill, which allowed these children to enter unaccompanied by their mothers. Under the reciprocity agreement of the Imperial Conference of 1918, however, it was agreed between Dominion Governments and India that the children should be accompanied by their mothers. This was embodied in the new bill. A further anomaly was that owing to the decision of the Supreme Court registration certificates, even if fraudulently obtained, could not be cancelled. This would be abolished.

Mr. DUNCAN criticising the Bill suggested that the registration certificates already issued should not be disturbed by any raking up of the past, but a general amnesty should be called conducing to a favourable reception of the new immigration clauses.

Mr. ALEXANDER strongly supported the suggestion of amnesty saying that it would be a graceful act synchronising with the arrival of Mr. Sastri as Agent-General and leading to effective good-will between the two Governments and the people.

The Minister of the Interior Dr. Malan, noted the suggestion.

### The Bill Passed.

On the 23RD JUNE there was a remarkable change of tone in the resumed debate on the Indian Bill. The second reading was passed practically unopposed, everyone being worn out.

Dr. Malan offered Transvaal amnesty in the matter of fraudulent entrants, letting bygones be bygones provided an assurance was given that such fraud would be prevented hereafter.

Mr. Marwick openly challenged Dr. Malan that, if the Indian Agreement was fully carried out, it would involve complete Indian citizenship.

Dr. Malan refused to take up the challenge, thereby implying that it was unanswerable. Dr. Malan paid the highest tribute to Mr. Sastri calling him the most honest, straightforward man he had ever met.

On the 25TH JUNE the bill passed the final stages (third reading) without amendments. The Ministers promised amnesty regarding the past fraudulent entrants into the Transvaal, provided the community guaranteed to do their best to stop illicit entry in future.

### The Text of the Asiatic Bill.

The following is the text of the Bill "to amend the law relating to immigration and Asiatics" as drafted in accordance with the terms agreed

upon by the Round Table Conference between the Union and Indian Governments :—

Be it enacted by the King's Most Excellent Majesty, the Senate and the House of Assembly of the Union of South Africa, as follows :—

### CHAPTER I.

1. Section two of the Immigrants Regulation Act, 1913 (hereinafter in this chapter called the principal Act), is hereby amended by the deletion :

(a) from sub-section (7) of the words "sufficient in the opinion of the Minister" and the substitution therefor of the following words: "fixed by the immigration officer, not exceeding one hundred pounds", and

(b) from sub-section (12) of the words "such amount as the Minister may determine" and the substitution therefor of the following words: "an amount fixed by the immigration officer, not exceeding one hundred pounds."

2. Section three of the principal Act is hereby amended—

(a) by the addition of the following at the end of sub-section (2) :—

From the opinion of such superior court there shall be a right of appeal by the appellant or the immigration officer to the Appellate Division of the Supreme Court.

(b) by the deletion from sub-section (4) of the words "if he is a person seeking to enter the Union for the first time" and by the addition of the following at the end thereof :—

In the event of an appeal under sub-section (2) to the Appellate Division the appellant shall lodge with the registrar such further amount as the registrar may determine for any costs that the Appellate Division may award against him.

3. Section four of the principal Act is hereby amended by the insertion in paragraph (f) of sub-section (1) after the word "rape" of the following words: "incest, sodomy."

4. Section five of the principal Act as amended by section three of the Indians Relief Act, 1914, is hereby further amended—

(a) by the addition at the end of paragraph (e) of the words "provided that such person, if born outside the Union, enters or is brought into the Union within three years from the date of his birth";

(b) by the addition at the end of paragraph (g) of the words "and provided further that no child who is not accompanied by its mother shall be admitted unless its mother is already resident in the Union or is deceased, or the Minister in any special case authorises the admission of such child."

5. Section ten of the principal Act is hereby amended by the addition at the end thereof of the following new sub-section (2), the existing section becoming sub-section (1) :—

(2) Any such prohibited immigrant shall be dealt with in terms of section nineteen. If he is in possession of a registration certificate or a certificate of domicile, or any other document authorising him to enter, reside or remain in the Union or any province, it shall be competent for any Board to which he may appeal, if it is proved to the Board that such certificate or other document was obtained by fraudulent representations made by him or on his behalf, in order that such certificate or other document be cancelled and that he be dealt with in terms of this Act. Provided that if he does not appeal to a board, the principal immigration officer concerned shall cancel such certificate or other document."

6. Section thirteen of the principal Act is hereby amended by the deletion from sub-sections (3) and (5) of the word "Minister" and the substitution thereof of the words "immigration officer."

7. Section fourteen of the principal Act is hereby amended by the deletion of the word "Minister" and the substitution therefor of the words "immigration officer."

8. Section nineteen of the principal Act is hereby amended by the addition of the following new :

(3) Any person who—

(a) illegally enters the Union; or  
(b) being a person deemed by the Minister in terms of paragraph (a) of sub-section (1) of section four to be unsuited either individually or as a member of a class of persons, illegally enters any province, and fails to appear before or notify an immigration officer of such entry within eight days shall be guilty of an offence under this Act.

(4) If any person who was not born or is not domiciled in the Union—

(a) fails to declare on the prescribed form that he is suffering from tuberculosis; or

(b) is not reported on arrival by the master or surgeon of the ship which conveyed him to the Union to be suffering from tuberculosis; and

(c) is found, within six months from the date of his landing at any port in the Union, to be suffering from tuberculosis, the master, owner or agent of such ship shall be responsible for his removal from the Union without expense to the Government, and shall be liable for the cost of his maintenance in the Union and for such other expenditure incurred by the Government in respect of such person, to an amount to be fixed by an immigration officer, in all not exceeding one hundred pounds, to be paid on demand of the said officer.

9. Section twenty-two of the principal Act is hereby amended by the insertion of the word "or" at the end of paragraph (c) and by the addition of the following new paragraph after paragraph (c):—

(d) for any offence under section twenty.

10. Section thirty of the principal Act is hereby amended by the deletion of the definition of the term "domicile," and the substitution thereof of the following definition:—"domicile" shall mean the place in which a person has his present permanent home or present permanent residence, or to which he returns as his present permanent abode, and not for a mere special or temporary purpose; and a person shall not be deemed to have a domicile within the Union or any province (as the case may be) for the purposes of this Act unless he has lawfully resided therein for a continuous period of three years, otherwise than under terms of conditional or temporary residence permitted by this Act or any other law, or as a person under detention in prison, goal, reformatory or mental hospital, and a person shall be deemed for the purposes of this Act to have lost his domicile within the Union if he absents himself from the Union and does not re-enter the Union within three years from the date of departure therefrom, whether or not he is in possession of a registration certificate or a certificate of domicile or any other document issued under any prior law permitting his entrance to or residence in or recognising his domicile in the Union or any province thereof: Provided that in cases where a person proceeds abroad for a special or temporary purpose the Minister may authorise the issue of a certificate of identity under the provisions of sub-section (2) of section twenty-five allowing the person concerned to return to and resume his residence in the province named within the period specified in such certificate or any extension thereof, not exceeding ten years in all. Domicile in the Union shall be lost by any woman whose marriage has been dissolved during her absence from the Union.

## CHAPTER II.

11. Section six of the Indians Relief Act, 1914, is hereby deleted and the following substituted therefor:—

"6. (1) The Minister may in his discretion cause to be provided out of moneys appropriated by Parliament for the purpose of financial assistance and a free passage from any place in the Union to any place outside the Union for any adult Indian (other than an Indian who is or may become entitled under Law No. 25 of 1891, Natal, or any amendment thereof, to a free passage to India) in respect of himself and his family (if any), provided that such Indian makes a written request on the form prescribed by regulation for such financial assistance and free passage and agrees in writing to the following conditions:—

(a) Such Indian shall, if married, be accompanied by his family (if any) upon departure from the Union;

(b) such Indian shall furnish to an officer designated by the Minister such means of identification as may be prescribed by regulation of himself and each member of his family;

(c) such Indian and his family (if any) shall not re-enter the Union within one year from date of departure from the Union, but may re-enter the Province of the Union in which he is domiciled after the expiry of one year from the date of departure, but not later than the date of expiry of three years from the date of departure from the Union. Provided that—

(i) all money paid in terms of this section to or on behalf of such Indian in respect of himself and his family (if any) are repaid in full to an agent of the Union Government duly appointed thereto, before departure from the country to which such Indian emigrated, and proof of such payment in such form as may be prescribed is produced on arrival at a Union port;

(ii) such Indian and his family (if any) excluding any member thereof who may have died in the interim and excluding any daughter who since the date of departure from the Union, has married a person not entitled to enter or to remain in the Union, shall re-enter the Union simultaneously. Proof of any such death or marriage to the satisfaction of the Minister must be produced. In case of unforeseen hardship the Minister may in his discretion exempt the Indian or any member of the family from re-entering the Union. In such cases, or in the event of the death of the Indian or a member of the family, the repayment in respect of the person concerned as provided in sub-paragraph (i) of this paragraph may be remitted;

(d) unless such Indian accompanied by his family (if any) or in the event of the death of such Indian, his family re-enters the Union as prescribed in paragraph (c) of this sub-section, he and all the members of his family (if any) shall be deemed to have voluntarily and finally abandoned all rights possessed by him or them to enter or reside in any part of the Union, together with all rights incidental to his or their domicile therein, and the fact that re-entry did not take place within the time specified in paragraph (c) of this sub-section shall be conclusive evidence of such abandonment.

(2) For the purposes of this section—"adult Indian" shall mean an Indian of either sex of sixteen years of age or over and an Indian woman who been married;

"family" shall include the wife of an emigrant Indian and all children of any emigrant Indian who were not adult Indians at the date of departure from the Union;

"date of departure from the Union" shall mean the date of departure from a port;

"port", shall have the same meaning as defined in section "thirty" (Act No. 22 of 1923).

### CHAPTER III.

12. A registration certificate issued under the provisions of the Asiatic Law Amendment Act, 1907, of the Transvaal (Act No. 2 of 1907), or the Asiatics Registration Amendment Act, 1908, of the Transvaal (Act No. 36 of 1908), may by an instrument in writing be surrendered by the holder to the Registrar of Asiatics, and such surrender shall be conclusive evidence that such holder has abandoned any right of or incidental to entry, residence or domicile in the Transvaal Province.

13. If an Asiatic who has failed to make application for registration in accordance with the provisions of paragraph (2) of section five of the Asiatics Registration Amendment Act, 1908 of the Transvaal satisfies the Minister that such failure was due to some good and sufficient cause, the Minister may, in his discretion, authorize the Registrar to receive an application for registration from such Asiatic, and the application shall be dealt with in all respects as if it had been made in accordance with the provisions of the said section and all the provisions of Act No. 36 of 1908 of the Transvaal as amended by this Act which would have applied if the application had been so made, shall apply accordingly.

14. Section seven of the Asiatic Registration Amendment Act, 1908, of the Transvaal, is hereby amended by the deletion of the words "save as in the next succeeding section is provided."

15. Section nine of the Asiatics Registration Amendment Act, 1908, of the Transvaal, is hereby amended by the deletion of the last sentence thereof.

16. Section thirty-four of the Chinese Exclusion Act No. 37 of 1904 (Cape of Good Hope), is hereby amended by the deletion of the words "shall be deported" and the substitution thereof of the words "may, in the discretion of the Minister, be deported."

#### CHAPTER IV.

17. The Governor-General may make regulations, not inconsistent with this Act, for the better carrying out of the objects and purposes of this Act.

18. The laws mentioned in the schedule to this Act are hereby repealed to the extent set out in the fourth column of that schedule.

19. This Act may be cited as THE IMMIGRATION AND INDIAN RELIEF (FURTHER PROVISION) ACT, 1927.

#### Mr. V. S. S. Sastri's Appointment.

The following Government of India communique was issued on the 7th May 1927 :—"In the announcement made on the 21st February 1927 in the two Houses of the Indian Legislature regarding the Agreement reached between the Government of India and the Government of the Union of South Africa it was stated that the Government of the Union had requested the Government of India to appoint an Agent in South Africa in order to secure continuous and effective co-operation between the two Governments. The Government of India have decided to appoint the Right Hon. V. S. Srinivasa Sastri, P. C., as their first Agent in South Africa".

#### Mahatma Gandhi's Views.

Mahatma Gandhi wrote the following article headed "Honourable Compromise" on the South African Settlement in the "Young India" :—

##### The Assisted Emigration Scheme.

Sir Mahomed Habibullah and his colleagues are to be congratulated upon having secured a settlement that is honourable to both parties. It is not the best that could be conceived, but it is the best that was possible. I doubt if any other deputation could have done more. The Class Areas Bill which brought about the Conference and round which the battle raged is dead and gone. The Right Hon'ble Srinivasa Sastri who, when the deputation sailed for South Africa, was of all members the most communicative and had warned us not to expect much, did not conceal at the end of the labours of the Conference his satisfaction at the result. A perusal of the settlement warrants satisfaction; but like all compromises this one is not without its danger points. The dropping of the Class Areas Bill is balanced by repatriation re-emerging as re-emigration. If the name is more dignified, it is also more dangerous. Repatriation could only be to India, re-emigration can be to any country. The following sentence in the settlement clearly points to that interpretation :—"The Union Government, therefore, will organise a scheme of assisted emigration to India or other countries where Western standards are not required." This assisted emigration to other countries, I hold to be dangerous; for there is no knowing what may happen to poor ignorant men going to an unknown land where they would be utter strangers. Such countries as would take them would only be either Fiji or British Guiana. Neither has a good name in India. It is decidedly a disadvantage to have been a party to assisted emigration to any other part of the world. The good point about this assisted emigration is that whereas before the settlement repatriates lost their domicile, re-emigrants now retain it and lose it only if they absent themselves so long as to warrant the inference that there is no intention

to return to South Africa. How many assisted emigrants can hope to refund the assistance money they might have received or how many can hope to return with their families is a different question. The non-forfeiture clause is clearly designed not so much to guarantee a substantial right as not to hurt national self-respect.

#### Indians in Durban.

The annexure containing a summary of the conclusions reached by the Round Table Conference on the Indian question in South Africa is a remarkable document betraying in every paragraph a heroic attempt to reconcile conflicting interests and sentiments. An industrious reader will have no difficulty discovering the hopeful paragraphs. I shall, therefore, content myself with drawing attention to a para that is fraught with grave danger. The Union Government is to take special steps under the Public Health Act for an investigation into sanitary and housing conditions in and around Durban which will include the question of limitation of sale of municipal lands subject to restrictive conditions. I do not know what is aimed at in this paragraph but my suspecting mind (and my suspicion is based upon previous bitter experience of interpretations, warranted and unwarranted, that a strong party places upon agreements with a weak party to the latter disadvantage) conjures up all kinds of frightful consequences arising from this proposed committee and limitation. Already, the Durban Corporation has been invested with powers which it has utilised for the suppression of its Indian citizens. So far as I know, a committee can bring to light nothing that is not known to the Corporation or Government. The appointment of an Advisory Committee of Indians may be a simple padding. The Health Committee may bring in a historical report as a previous committee to my knowledge has done and limitation may be put upon the purchase of Municipal lands by Indians which may cramp the Indian community residing in Durban. Nor do I like the paragraph which seems to imply that provincial governments are at liberty to take any action they might against Indian settlers without reference to the Central Government. But the compromise is acceptable in spite of the dangers referred to by me, not so much for what has been actually achieved as for almost sudden transformation of the atmosphere in South Africa from one of remorseless hostility towards Indians to that of a generous toleration, from complete social ostracism to that of admission of Indians to social functions.

#### Indian Representative in South Africa.

Mr. Andrews sends me glowing accounts of the utmost cordiality with which Indian members of the Deputation were received alike by the Government and the people, how local Indians were able to gain entry to the most fashionable hotel in Cape Town without any let or hindrance and how Europeans in South Africa were flocking to him to know all about the Indian Deputation and the Indian question. If this atmosphere of goodwill and sociability is kept up and encouraged, the settlement can be used as a solid foundation for erecting a beautiful temple of freedom for Indian settlers in South Africa. But the success of the settlement very largely depends upon the selection of a Consul or Commissioner who will be selected to represent the Government of India. He must be a person of eminence, great ability, and strength of character, and in my opinion, he must be an Indian. The very fact of his being an Indian will strike the imagination of the European population and raise the Indian settlers in European estimation and will reach the heart of Indians in a way no Englishman, not even perhaps Mr. Andrews, can and if a man can be selected who will command equal esteem of the Union Government, we need not fear the future. Such a man, in my humble opinion, is Mr. Srinivasa Sastri. I cannot conclude this hasty survey of the settlement without placing on record my deepest conviction that the happy result is predominantly due to the ceaseless and prayerful labours of that godly, self-sacrificing Englishman, Charlie Andrews.

# Indians in Fiji.

Early in January 1927 the Government of India published papers relating to the position of the Indian community in Fiji which formed the subject of representations made to the Secretary of State for Colonies by the Colonies Committee of the Government of India. It will be remembered that this Colonies Committee under the Chairmanship of Sir Hope Simpson was sent in 1924 charged primarily with its Kenya Emigration Bill which was afterwards dropped. (See Register 1923 Vol. II, p. 353; 1924 Vol. I, pp. 297-372; 1924 Vol. II, p. 328). The Committee was charged at the same time with making representations to the Colonial Office regarding the position of Indians in Fiji. The following is the correspondence between the Government of India, the India Office and the Colonial Office all ending with the despatch of the Government of India dated the 27th May 1926.

The position as it presents itself after a perusal of the whole correspondence is this: that three out of twelve non-official seats in the Fiji Council are given to Indians, who have now only one seat. Secondly, the question of municipal franchise would be examined by the Local Committee in Fiji on which Indians would be represented and a representative of the Government of India would be allowed to occasionally visit Fiji and make report upon specific questions under certain conditions. The correspondence started with the submission of a memorandum by the Colonies Committee setting forth the grievances of Fiji Indians.

## Colonies' Committee's Representations.

The Committee on the question of Indian political status, submitted that under the deed of cession Fiji was ceded as a possession and dependency of the British Crown subject to a condition among others that the rights and interests of the high chiefs should be recognised so far as is consistent with British sovereignty and colonial form of Government. The Colonies Committee appreciate that this implies that these interests must be maintained and have no desire to question this. But elective representation on the Legislative Council at present enjoyed by the European community is presumably regarded as not inconsistent with the terms of the deed of the cession and it can hardly be argued that the grant of a similar status to their Indian fellow-subjects would infringe those terms. Communal franchise as applied in the colonies where Indians do not form a minority community is regarded in India as a system which is intended to assign an inferior status to Indians as compared with their British fellow-subjects and to limit the growth of their political influence in the colonies. As the chief labour force Indians in the islands are playing a part essential to the prosperity of the colony. In the circumstances the proposal of the Indian deputation to Fiji that if communal franchise is adopted equal representation should be accorded to the European and Indian communities appears to the Committee to be fully justified. The Colonies Committee submit that the importance of the Indian community is not adequately represented by the number of seats which it is proposed to allot to them and that no measure which does not accord to the Indian community on a communal basis representation in the Legislative Council at least numerically equal to that already accorded to the non-official European community can be regarded as consistent with the principle of equality of status.

Regarding municipal franchise the Committee said that the Ordinance of 1915 which was a measure which resulted in the virtual extinction of Indian representation on municipal council for the last nine years required modifi-

cation. The Committee then objected to poll tax at one pound per head as a tax which would fall with severity on Indians and suggested modifications. Lastly, the Committee wanted appointment of an agent of the Indian Government in Fiji to keep them supplied with correct information and thereby dispel misunderstandings.

### Reply from the Colonial Office.

The Colonial Office replied in March 1925 emphasising the position created by the deed of cession and emphasised that Indian representation could be provided only on communal basis. The Secretary of State for Colonies added: "It is proposed that the Fijian representation should be similarly increased to three. The Secretary of State further proposes that the number of European unofficial members should be reduced by one so that they will not have a majority over the Indian and Fijian representatives. It is understood that the members of the Committee were agreed that the official majority must be retained and the number of official members will be increased accordingly to preserve the necessary majority.

"In connection with the question of Indian representation a further special consideration and one to which the Secretary of State is inclined to think that no sufficient weight has been given, arises from the fact that a very large proportion of the Indian residents in Fiji are entitled to repatriation to India at the cost of the Fiji Government. Of the total Indian population in the colony estimated at about 65,000 it is reckoned that approximately 49,500 are entitled to repatriation to India at the cost of the Fiji Government. In addition there are upwards of 3,000 Indians introduced during 1915 and 1916 who will, in course of time, become entitled to this privilege."

On the question of appointing an agent, the Colonial Office said that "when oral representation of Indians in Fiji have been reasonably met, Indians will have ample means of securing the adequate consideration and discussion of their views and interests without the intervention of the Government of India and that it is to their own representatives and not to the agent of another Government that they should look to express their point of view and to defend their interests. The Colonial Government will, however, invite the Legislative Council to provide the funds necessary for the appointment of a senior officer to take charge of Indian affairs with a seat on the Legislative Council and further in order that reliable information as to the present economic condition of Indians may be available, it is proposed that a committee should be immediately appointed on which the Indian community should be represented to enquire into the facts and report their findings to the Colonial Government who would publish the report and furnish copies to the Government of India."

### The Government of India's Decision.

The Government of India renewed the request that Indians should be given the right to elect representatives equal to the number of Europeans. On the question of appointment of the agent, the Government of India said that they would be satisfied if a representative was allowed to visit the colony periodically and report the condition of Indians. But the Colonial Office found no reason to modify its views. The India Office thereupon informed the Government of India: "The present correspondence regarding franchise and other matters relative to the position of Indians in Fiji arises from the representations made by the Colonies Committee to the Colonial Office in 1924. The proposals made by the Colonial Office as a result of representations of the Committee are quite independent of the question of the resumption of Indian emigration to Fiji and is understood that the latter question has at any rate for the time being lapsed. This being the case, the Secretary of State considers that a welcome opportunity of improving the position of Indians in Fiji is offered by the Colonial Office's policy in regard to the franchise, the recreation of occasional visits of a representative of the Government of India



and other important matters affecting their welfare which were dealt with in the Colonial Office letter of 20th March 1925. This policy, apart from its another aspects, would effect a material improvement in the political status of Indians by giving them three out of twelve non-official seats in the Legislative Council in which only one Indian seat is at present provided for. The Earl of Birkenhead regards these results of the action taken by the Colonies Committee in 1925 as a matter for congratulation and he hopes that the Government of India will now agree that the offers made should be accepted. He feels strongly that it would be undesirable by pressing again for additional concessions to cause further delay in giving effect to the policy and incur a risk of its not being adopted. In his view, the concessions now offered a reasonable basis of settlement and he would not feel justified in supporting a demand for further concessions."

The Government of India finally replied that they adhere to their opinion that "the representation proposed for Indians is inadequate. But as the Colonial Office are at present unable to move further in the direction advocated by them, they are prepared to acquiesce in the proposals made and would be glad if the Letters Patent can be amended as proposed in time to enable Indians to elect their representatives at the next election."

## Indians in Australia.

That the position of Indians in Australia had considerably improved and their interests were well looked after is evident from a communique issued by the Government of India early in January 1927. It says :—

"By Acts which have recently been passed by the Commonwealth of Parliament, the British Indians in Australia have been admitted to benefits of invalid and old age pensions and maternity allowances. Old age pension is payable to men above 65 years of age or above 60 years if they are permanently incapacitated for work and to women above 60 years provided such persons are of good character and have resided continuously in Australia for at least 20 years. Invalid pension is obtainable by persons who, being above 16 years of age and not in receipt of an old age pension, have whilst in Australia become permanently incapacitated for work by reason of an accident or by reason of being an invalid or blind provided they have resided continuously in Australia for at least five years. Maternity allowance, which has been extended to the Asiatic mothers in Australia who are British subjects, amounts to £5 and is given to a woman for every child to which she gives birth in Australia provided the child is born alive and the woman is an inhabitant of the Commonwealth or intends to settle therein."

# The Anti-Colonial Congress.

The International Anti-Colonial Congress which commenced its sittings at the Palais D'Egmont, Brussels on the 10TH OF FEBRUARY 1927 and closed its sessions after six days of almost continuous sitting, marks a new chapter in the history of the world. It was the most representative gathering that had met in any town in Asia, America or Europe. It was international not only in spirit but also in representation. Unlike the other International Congresses held at Geneva, Washington and other European towns, it did not consist of delegates from only a few European Imperial powers, assembled to devise better and subtler means to maintain and promote separate national and class interests. Delegates from all parts of the world, from India, China, Syria, Arabia, Korea, Indonesia, Indo-China, Annam, Japan, South and North Africa, North and Latin America and almost every European State, turned up at Brussels, in spite of the short notice and insufficient press propaganda. No less than 175 mandatory delegates and 300 visitors were present. It was an impressive sight to see the black and the white, the brown and the yellow, delegates from Imperialist countries, from colonial and semi-colonial lands, representatives of national and labour organisations assembled in the large hall of Palais D'Egmont in the ancient and historic town of Brussels.

## Mr. Nehru's Statement on Behalf of India.

On the day previous to the formal opening of the Congress the delegates of the important countries met the representatives of the Press and made separate statements. The following is the full text of Mr. Jawahar Lal Nehru's statement to the press. Mr. Nehru was the delegate of the Indian National Congress to the Brussels Congress. —

"I am glad to have the opportunity to associate myself on behalf of the Indian National Congress and the people of India whom it represents, with the aims and objects of this International Congress. The Indian National Congress stands for the freedom of India; freedom for the poor and the oppressed from all exploitation. We welcome this International Congress because, as we understand it, it has been called together to further these aims and objects in the international sphere. We realise that there is much in common in the struggle which various subject and semi-subject and oppressed peoples are carrying on to-day. Their opponents are often the same, although they sometime appear in different guises and the means employed for their subjection are often similar. Contact between the various peoples will lead to a better understanding of each other's problems and difficulties and is bound to result in closer co-operation which must bring success nearer to all. The fabric of Imperialism looks imposing and appears to hold together, but any rent in it will automatically lead to its total destruction.

"The Indian National Congress is necessarily national and has nationalism as its basis, but as our great leader Mahatma Gandhi had said, our nationalism is based on the most intense internationalism. The problem of Indian freedom is for us a vital and urgently essential one, but at the same time it is not merely a purely national problem. India is a world problem and as in the past so in the future other countries and peoples will be vitally affected by the condition of India.

"To-day the strongest and the most far-reaching Imperialism is that of Britain and British Imperialism and policy always have had India as their corner stone. Both Egypt and other parts of Africa have suffered domination because British Imperialism wanted to strengthen its hold on India and to protect its sea routes to that country. The importance of India and her future for this International Congress is thus obvious.

"The Indian National movement has welcomed with the liveliest sympathy and hope the successes of the Nationalists in China. It has been a matter of shame and sorrow to us that the British Government should venture to send Indian troops to China in an attempt to coerce the Chinese. You are probably aware that the Indian National Congress has protested in the strongest language against this and the Nationalist members of the Indian Legislature wanted to raise this question in the Legislative Assembly, but the English Viceroy exercised his veto on the ground that it raised matters of foreign policy. Mahatma Gandhi and the Indian leaders have emphatically on behalf of the people of India expressed their ardent hope that the Chinese Nationalists will bring about the final emancipation of China. The Indian press have condemned the Government action and mass meetings have been held in various parts of the country for the purpose. India to-day is with China, not only because she has every sympathy for her but because she feels that China's successful fight is the most hopeful sign of the future downfall of imperialism. As of old imperialism trying to utilise one subject country to coerce another, but in spite of her weakness India is not so weak to-day as to permit herself to be employed as a pawn in the imperialist game.

"The attempts to use India against China make it all the more necessary for the forces of nationalism in the subject nations to co-operate together for the common good. And I trust that this Congress will help us to bring about its co-operation and will thus bring nearer the freedom of oppressed nationalities".

## Opening of the Congress.

The Congress opened formally on the 10th evening, Mr. S. O. DAVIS of the British Miners' Association presiding. The President, in his introductory remarks, explained the close connection between capitalism and imperialism. He proved that the first always led to the second. This meant that, at an early date, earlier than the imperialists expect, the entire labour organisation of the imperialist countries is bound to lend its fullest support to the national movements in the colonial and semi-colonial countries. The principal speakers of the evening were Messrs. Lian, representative of the executive of the Kuo Min Tang, Henri Barbusse, the well-known French author, Jawahar Lal Nehru, Katayama, the veteran Japanese social worker, Vasconcelas, Minister of Education in Mexico and Fenner Brockway, the Secretary of the Independent Labour Party of England. Speaking on behalf of the Indian National Congress, Mr. Nehru gave a short but very clear exposition of its aims, methods and results of British imperialism in India. He pointed out that the Indian question was an international one, that neighbouring countries like Afghanistan, Burma, Persia, Mesopotamia were deprived of their independence by the English to safeguard their most prized possession—India. He also drew the attention of the Congress to the fact that Indian men and money were being used to fight the wars of a foreign imperialism, and to oppress other nations. Concluding, Mr. Nehru demanded the withdrawal of all foreign troops of occupation from his country and the immediate recognition of Indian independence. Mr. Katayama urged the leaders of the national movements in colonial countries and of the labour organisations in the oppressing country to be uncompromising in their demands. He pointed out the efficiency of economic boycott for gaining national liberty. The ex-Minister of Education in Mexico, gave a lengthy account of that most terrible of all imperialisms, imperialism of the United States, with its subtle methods, sometimes termed "policy of peaceful penetration" and at other times "Dollar Diplomacy." The United States, said the speaker, had been built through cruelty, and modern and this modern miracle was to-day threatening the whole humanity. The speaker of the evening was Mr. Fenner Brockway of the Independent Labour Party. Mr. Brockway denounced the British rule of exploitation in India, denounced the policy of sending troops to China and assured the Indian and Chinese delegation, the fullest sympathy of his party in their struggle to emancipate their countries from the clutches of a foreign and oppressive imperialism.

## The Proceedings

During the busy days that followed the representatives of various countries spoke exposing the methods and aims of imperialism in the different countries. It was a curious fact, as Mr. Nehru pointed out in his statement to the press, that in all the oppressed countries, whoever the oppressors be, their aims and methods were similar. In other words, there was nothing to choose between the British imperialism in India, the Japanese imperialism in Korea, the Dutch rule in Indonesia and the French administration in their different colonies.

On the SECOND DAY of the Congress Mr. Leclercq, member of the German Parliament, made a long speech urging the nations to maintain an united front and exposing the ways of the British Parliamentary Labour Party. He recalled another International Congress, the Stuttgart Congress. The Stuttgart Congress passed a resolution condemning the colonial administration of the Imperial powers and advocating the rights of every country for complete independence and self determination. Mr. MacDonald was one of those who had voted for the resolution. He then referred to the later development in Mr. MacDonald and how the Radical Socialist of 1907 became the Minister for Foreign Affairs in the first Labour Government. Another well-known man who was present at Stuttgart in 1907 and who had also voted on behalf of the resolution was Mr. Vanderweld who to-day is the Minister of Foreign Affairs in Belgium and who also refused the organisers of the Brussels anti-Colonial Congress to make a public demonstration through the streets of Brussels. The speaker asked the leaders of the Labour organisations in the imperialist countries, not to lose confidence, but to unite their forces with the national movements in the Colonial and oppressed countries in their fight against imperialism and class oppression.

Mr. Harry Pollitt, speaking on behalf of the Left wing of the Labour movement in England, made a spirited speech in which he explained that the working classes in England were coming to realise at last that the British occupation of India and other Asiatic and African countries and the transference of British capital from the Home country to India and China, meant unemployment and lowering of the standard of life for the British worker. The fact alone was driving the Labour movement in England more and more to the Left. The desire to support India in her movement for independence was therefore not a matter of mere sentiment to the British worker. To him it was a question of his life and existence. In other words, to the large masses of working classes in England, the occupation of India by England meant only unemployment and misery. To them India was a losing concern and therefore they were ready to adopt every step to educate the public opinion in England to demand the recognition of Indian independence. He also explained that the revolutionary movement among the working classes was gaining strength every day. As an example he told the audience that, while the troops who were being shipped to China were parading through the streets of London, the members of his organisation distributed pamphlets calling on the soldiers not to shoot their Chinese fellow-workers in the event of a war. He further informed them that every soldier in the troopship sailing to China had in his hand a pamphlet explaining the nature of the struggle in China. The military authorities were aware of these activities of the British Labour organisation: but they recognised the strength of the working class movement and wisely refrained from taking any action. Referring to the sending of Indian troops to China, he said that the step was taken, more with a view to measure the strength of the national movement in India.

On the THIRD DAY of the Congress there were enthusiastic scenes when the President announced that the leader of the recent Syrian "revolt" on whom the French Government had passed a death sentence, and two generals from the Cantonese army had arrived. The whole audience stood on its feet for full five minutes and gave a tremendous reception to these distinguished arrivals. They explained the nature of the movements in Syria and China, showing how the movements in their countries were only part of the world-wide movement for national and social emancipation. Mr. George Lansbury who arrived on the fourth day, having been detained in London on account of the Chinese debate

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in the House of Commons, in his fighting speech fully maintained his reputation both as an orator and a social worker. He pointed out the international significance of the Chinese movement, how it represented an essential step towards social progress of the whole world. This fact alone, in his opinion, made it the duty of every country to lend active support to the efforts of the Cantonese to free themselves from the bounds of foreign imperialism. Mr. Lansbury also pointed out that at the present stage a policy of pacifism was likely to prove of help only to the imperial powers. Finally, he drew the attention of the delegates of the countries to the dangerous and deliberate propaganda carried on in all the countries by the imperialist powers in order to mobilise the opinion of the world against Russia. At the end of his speech, delivered with much feeling, Mr. Lansbury warmly embraced the General of the Cantonese army. The whole audience felt the sincerity of that act, and spontaneously stood on its feet. Dr. Helene Stöcker, the well-known German doctor and editor of "The New Generation", who also maintains a nursing home in Berlin for unmarried mothers, in a short speech, explained the merits of Gandhi's doctrine of non-co-operation and passive resistance. She also classified women among the oppressed classes of the world and emphasised the need of emancipating the women in any scheme of social regeneration.

Almost the last to speak was M. Edo Fennen, Secretary of the International Transport Workers' Association, which is the most important and influential of all the labour organisations in the aid of statistics drawn from official sources how the employment of European capital in India and China was leading to unemployment and misery in Europe. In the 18th and 19th century, the colonies were a paying concern. But to-day things have changed. Capital being international, it was being quickly transferred to countries with cheaper labour. As an example, he mentioned the fact that more than half of the Chinese textile industry was in the hands of foreign capitalists. This industry alone employed more than three million hands. The hours of work in most cases extended to 10 hours per day, Sundays not excluded. Nearly 26 per cent of the workers were drawn from children. It was easy to understand the effects of these developments on the international labour market. The working classes in Europe were awakening to these facts and this explained why they were prepared to make common cause with the national movements in the oppressed countries. He also informed the audience that in Shanghai and other industrial towns of China, Chinese capitalists were less exploiting than the capitalists from the so-called "civilised countries." Speaking on behalf of an association which had the power of bringing the whole machine of modern industrial civilisation to a standstill, M. Fennen expressed his hope that a well-organised strike would bring them all to their final goal at an early date.

## Resolutions.

### I. CHINA AND INDIA.

The last day of the Congress was devoted mainly to the passing of resolutions. Very nearly 40 resolutions were passed. Three of them are of special importance to India. The first was the resolution of the Indian delegation, moved by the Congress delegate, Mr. Nehru:—

"This Congress records its warm support to the Indian National movement for complete freedom of India and is of opinion that liberation of India from foreign domination and all kinds of exploitation is an essential step in full emancipation of the peoples of the world. This Congress trusts that peoples and workers of other countries will fully co-operate in this task and will specially take effective steps to prevent the despatch of foreign troops to India and the retention of an army of occupation in that country. This Congress further trusts that the Indian National movement will base its programme on the full emancipation of peasants and workers of India without which there can be no real freedom and will co-operate with movements for emancipation in the other parts of the world".

## THE ANTI-COLONIAL CONGRESS

### 2. TASK OF THE WORKING CLASS FORCES.

The delegations of British, Indian and Chinese nationalities made the following statement as to the task of working class forces:—

"We British, Indian and Chinese delegations consider that the task of all working class forces in Imperialist countries is (a) to fight for full emancipation side by side with national forces in oppressed countries in order to secure complete independence wherever such national forces so desire, (b) to oppose all forms of coercion against colonial peoples, (c) to vote against all credits, naval military and air, for maintenance of armed force to be used against oppressed nations, (d) to expose the horrors of imperialism to civil and military populations, and (e) to expose imperialistic policy in the light of the working class struggle for freedom".

### 3. THE CHINESE SITUATION.

"In relation to the immediate situation in China (1) we demand the immediate withdrawal of all armed forces from Chinese territory and waters; (2) we urge the need of direct action including strikes and imposition of embargo to prevent movements of munitions and troops either in India or China and from India to China; (3) estimates relating either to warlike preparations or to war shall be voted against; (4) in the event of armed intervention or open war, every effort shall be made within the labour movement to use every weapon possible in working class struggle to prevent hostilities; (5) we demand the unconditional recognition of the Nationalist Government, the abolition of unequal treaties and of extra-territorial rights and surrender of foreign concessions; and (6) finally, in the interests of trade union and labour movements in Britain, India and China, we pledge ourselves to work for their immediate close and active co-operation".

### 4. INDO-CHINESE RELATIONS.

A joint declaration was made by the Indian and Chinese delegates on the relations between India and China in the following terms:—

"For more than three thousand years the people of India and China were united by the most intimate cultural ties. From the days of Buddha, to the end of the Moghul period and the beginning of British domination in India, this friendly intercourse continued uninterrupted.

"After the East India Company had secured its firm hold on the greater part of India, the English began looking for new resources of revenue and new markets. They not only introduced poppy cultivation into areas where food had previously been grown, but also thrust Indian opium on the unwilling Chinese people by force of arms. Since that infamous opium war of 1840-1844, Indian mercenary troops have been sent again and again to China in support of British capitalist brigandage in that country. For 87 years Indian troops have been permanently stationed as policemen in Hongkong, Shanghai, etc. Time and again, they have been used to shoot down Chinese workers and have thus created ill-will in China against the people of India. Even as we make this declaration, Indian troops are again on their way to China in an attempt to crush the Chinese revolution."

"With the strengthening of British imperialism, India was cut off more and more from intercourse with China, and in their cultural and intellectual isolation, the Indian people have now become completely ignorant of the condition of China.

"It is this extreme ignorance that makes it difficult to-day to organise effective means of preventing India's money and man-power from being used for the enslavement of the Chinese people. We think it urgent and essential that active propaganda should be carried to in India to educate the people regarding China and arouse them to the necessity of immediate action. We must now resume the ancient, personal, cultural and political relations between the two peoples. British imperialism which in the past has kept us apart and done us so much injury, is now the very force that is uniting us in a common endeavour to overthrow it.

"We trust that the leaders of the Indian movement will do all in their power to co-ordinate their struggle with that of the Chinese people so that by simultaneously engaging British imperialism on two of its most vital fronts China may receive active support in her present struggle and the final victory of both people may be secured."

### 5. AGAINST EXPLOITATION.

Perhaps the most important resolution of the whole Congress was the one moved by Mr. Beckett, M.P., on behalf of the Indian, Chinese and British delegation. This resolution runs as follows:

"We, the undersigned, British, Indian and Chinese delegations consider that the task of all working class forces in imperialist countries is:

(1) To fight for full emancipation side by side with the national forces in oppressed countries, in order to secure complete independence wherever such national forces so desire. (2) To oppose all forms of coercion against colonial peoples. (3) To vote against all credits, naval military and aerial, for the maintenance of armed forces to be used against oppressed nations. (4) To expose the horrors of imperialism to the civil and military population. (5) To expose imperialistic policy in the light of working class struggle for freedom.

In relation to the immediate situation in China—

(1) We demand the immediate withdrawal of all armed forces from Chinese territory and waters. (2) We urge the need of direct action, including strikes and the imposition of the embargo to prevent movements of munitions and troops either to India or China and from India to China. (3) That estimates relating either to warlike preparations or to war shall be voted against. (4) That in the event of armed intervention or open war every effort shall be made with the Labour movement to use every weapon possible to working-class struggle to prevent hostilities. (5) We demand the unconditional recognition of the Nationalist Government the abolition of unequal treaties and of extra territorial rights and surrender of foreign concessions. (6) Finally, in the interests of Trade Union Labour movements in Britain, India and China, we pledge ourselves to work for their immediate close and active co-operation".

The Congress also decided to open a permanent world organisation with its head office in Paris and branches in the various countries and then dispersed.

### Full Text of Pt. Nehru's Speech.

Pandit Jawaharlal Nehru, delegate of the Indian National Congress, rising to describe the effects of the British World Imperialism was greeted with stormy ovation by the Assembly. He said:—

With the greatest pleasure I bring the warm and hearty greetings of the Indian National Congress which has commissioned me to link our national movement with this International united effort to fight Imperialism. We in India have experienced the full strength of Imperialism. We know accurately what it means and we are naturally interested in every movement which is directed against Imperialism. In fact, if you want a typical example that will help you to understand the nature and consequence of Imperialism, I think you will find nothing better than India. From the internal condition of India, as our President has said, it may be understood in what manner the English Imperialism represses and exploits the workers. In India you will find a wonderful instance of every phase of Imperialism that you may wish to study. Our problems touch us naturally very deeply but I may say to you all, whether you come from China, Egypt and other distant lands, that your interests are bound up with ours. And the Indian problem too is of interest and importance for you.

### British Misdeeds in India.

I cannot tell you here the whole history of Indian exploitation—how India is maltreated, repressed and plundered. It is a long and very sad story. And all that I can do is to bring to your notice one or two of the most important factors which we have to consider particularly in this International Congress.

You have heard of various disturbances, massacres, and random butcheries and most of you have heard of the Amritsar incidents. Do not believe that because this affair has given rise to greater uproar than many others, it is in any way the singular and the worst episode in the history of India since the Britishers came to us. They came to us, as you doubtless know, by pitting one province against another until they finally established themselves firmly. During the whole period of their stay, they have followed the old policy of "Divide and Rule." I regret to have to say that they still follow this policy. The early history of their occupation is one of the most wildest and most shameless examples we have ever seen in the history of the world. Even the British Historians who are certainly not quite impartial admit that the early History of India under British Rule represents an epoch of predatory war,—a period in which free-booters prowled about and committed plunders and robberies in the land in an unbridled manner. You know perhaps also of the event which is known as the "Sepoy Mutiny" and which took place 70 years ago. It is called so but if fate had willed otherwise and the so-called rebels had been crowned with success, then to-day it would have been called the Indian War of Independence. What we have to say, in all this, is that Amritsar was absolutely nothing in comparison with what took place during the Sepoy Mutiny. But since then, such things have been constantly taking place; even to-day random firing is not infrequent. Numberless comrades and friends of ours are detained in prison without any accusation and without any trial. Many of our best comrades in India have made prison their real home, or they are in exile and cannot come back to their fatherland.

### Exploitation in India.

This gives rise often to a little sensation but the real injuries committed by the Britishers in India—the real exploitation is much more severe than the shootings and hangings, which occasionally give rise to some disturbance, the systematic method in which the workers, labourers and farmers are being exploited and has made India what it is to-day. We read in history, not only of the ancient times, but also of the modern period of the riches of India. India has allured by her riches the most different peoples from different extremities of the world, but if now one goes to India, the most horrible poverty stares him in the face. There he sees most of the population do not know where they will get their next meal and frequently they do not get it at all. Everywhere one meets these hungry people or these half-fed people. This is the India of to-day. No statistics, facts or numbers are wanted to convince you of this that India has suffered terrible economic decline and that if definite steps are not taken to prevent this process India will altogether cease to exist as a nation. You know perhaps how years ago (immediately after their advent) the Britishers applied the most ruthless methods to tender their industries profitable for themselves. In those days, the new doctrine of guardianship over the Indian people was not mentioned, our repression was not less severe, but it was frank, we had a ruthless and open exploitation and suppression of all Indian industries. It was bad enough, but worse followed gradually inasmuch as our ancient system of education was destroyed and we were disarmed. In the most multifarious ways, the spirit of the Indian people was destroyed and it was attempted to take away from them, every capacity for active and constructive work. The conscious policy of the Britisher in India was to attempt to divide us. After they have disarmed us, now they say that we are not fit to protect our country. After introducing a system of education which has destroyed our ancient education and has set in its place something which is ridiculously meagre and which teaches us false history and tries to educate us in the hatred of our own country and in the glorification of England—after all these, they tell us now that we have not sufficient culture to be a free nation.

It is now being advertised in the English Press that the Indians fight among one another. It should also be noted in this connection, that it is extremely exaggerated, that it is also the policy of the British to bring about these disturbances and to sharpen them where they are in existence and to do everything



to keep them alive. This is the policy of Britain, however much she may now deny it. Now, what is the condition of India to-day? We are spending of exploitation? We experience it very fully. Not a single exploitation but often a double and a treble exploitation. We have a part of India—the so-called 'Indian States' where, under the protection of Britain the Feudal system obtains. Often the English point them out to us and other countries as well and say—look at these parts of India where a kind of Self-Government is in existence. Other parts of India are much more advanced, but the British forget to tell one thing. They forget to tell us that these States are under their care and that they themselves have hindered progress in them. It is the British who first enslaved them and now do not allow them to develop. Consider the case of the great land-owners. You have here again the land-tenure system which in a great part of India is a feudal system and has been brought to us and kept up by the British. It is altogether difficult to change it so long as the British Government is not willing to do it. In the policy of the British Government in India we must reckon even the Indian princes and great land-owners as their confederates, because a free India would lead to the liberation of the farmers from exploitation. Then again we often see a harmful agreement between the British Capitalists and Indian Capitalists.

#### British World Politics.

A study of the past history and accounts of the last few years will prove that the British world politics is in a great measure influenced by their Indian possession. Who can be deceived for a moment as to what will happen to Great Britain if she does not possess India? There would then be no British world-Empire. What will take place in future when India is once free? I cannot say, but it is certain that the British world-Empire will cease to exist. From their capitalistic and imperialistic points of view, the British try to do everything in their power to retain their possession of India. Their whole foreign policy is to a great part influenced by this aim; therefore they must build up a firm overlordship in India. The result is that India has suffered and still suffers. But that is not all. On account of India other lands have suffered and suffer still. You have heard of the last instance of the activity of British Imperialism in India—the sending of Indian troops to China. They were sent in spite of the sharpest opposition offered by the Indian National Congress. I must remind you of the fact—even to my shame. I must mention—that Indian troops were often used to repress other people. I read to you the names of the number of countries in which Indian troops have been sent by the English for their purpose. In the year 1840, they went to China for the first time, and in the year 1927, they are still going there and during this time, they have been used three times without number. They were in Egypt, Abyssinia, in the Persian Gulf, in Mesopotamia, Arabia, Syria, Georgia, Tibet, Afghanistan and Burma. It is a horrifying list.

#### A World Problem.

I would like you to understand that the Indian problem is not only a national problem, but it directly affects a great number of other countries and it is of world interest, because, it directly applies to the greatest and the most influential imperialism of our time. It is clear that such a state of things is insupportable for India. We can't tolerate it any longer, not only because Freedom is good and slavery is bad, but because it is a question of life and death for us and our country. You too who have come here from the different countries of the world cannot tolerate these dreadful chains which are also a great hindrance to your own freedom. For us in India, Freedom is a pressing necessity. But it is not less important for you if we win our freedom. The noble examples of the Chinese nationalists have filled us with hope and as soon as possible we wish to follow in their foot-steps. We want the fullest freedom for our country; naturally (of course) not only the internal but freedom also of making connections with our neighbours and other lands as we wish. Because we believe that this our International Congress affords a possibility of this combined work, we welcome it and greet it.

## INDIA IN THE

# International Economic Conference.

The following statement was submitted by Mr. N. N. Wadia, Sir Campbell Rhodes and Mr. L. K. Hydar, Members from India to the International Economic Conference, held at Geneva in May 1927:

"The economic condition of India and her relations with the outside world may be very briefly stated. She is a debtor country in the sense that British and other foreign capital is invested in her railways and irrigation works and in some of her industries in excess of her own investments abroad. On this capital large sums have to be remitted annually by way of interest, the official remittances, which are known as the "Home Charges" and which include pension and other sterling disbursements, amounting to between £30 and £35 millions annually.

"In order to find the credits necessary for the liquidation of these claims, both official and non-official, it is necessary for India to export every year goods of a higher value than the value of her imports; in other words, to maintain a favourable balance of her visible trade. This result is secured by the natural surplus of production over consumption within her own borders. Covering a vast area, the size of Europe less Russia, with a population which numbers one-fifth of the whole human race, the wants of her own people are simple and to a large extent satisfied by her own productions; indeed, local requirements are met chiefly from resources available within reasonably close proximity to the individual consumers.

### Indian Exports.

"It will be apparent from this brief summary that the productive effort of India is centred far more on internal than on external markets. Agricultural exports of India, which in one form or another constitute nine-tenths of her total exports, represent at the same time only one-eleventh of her total production. In this respect, in her reliance chiefly on internal markets no less than in the volume and value of her local resources and the extent of her population and area, unhampered by inter-provincial trade barriers, India presents a picture more closely analogous to that of the United States of America than to that of European States. It is true that in India, as in Europe, the coal, steel and cotton textile industries endure their share of the prevailing depression. The depression is no less keenly felt because in all three industries productive capacity is greater than it was. Other industries also have developed in the absence of foreign competition and under the stimulus of high prices during the war.

### Fiscal Policy.

"India has adopted a fiscal policy which seeks to foster and develop the start which was thus made under pressure of war conditions. Nascent industries, built up with local labour and capital from local materials to meet local needs, cannot be allowed to die under the competition of foreign goods, over-produced abroad and sold in Indian markets at cut rates. The advantage which might accrue to the Indian consumer from these low prices weigh but little in comparison with the necessity of building up local industries on a sure foundation. The protective policy of India aims at the development of such manufactures only, as will one day be able to meet world competition unaided, and protection, whether it takes the form of import duties, bounties or other forms of State aid, is granted only for a limited number of years to individual industries.

"Partly as a result of war and post-war conditions, and partly as a result of the adoption of a policy of discriminating protection, a change has occurred in the character of India's foreign trade. Manufactures account for a slightly

lower proportion of her imports and a slightly higher proportion of her exports. While, thanks to a succession of good harvests, agricultural production has increased, local consumption has in the main increased more rapidly than exports.

"As might be expected in a country where the population largely subsists on agriculture, Government revenues since the war have been raised chiefly through indirect taxation. Thus Customs and exercise receipts account respectively for 24 per cent. and 22 per cent. of the total official revenues of India, to which income tax contributes only 12 per cent.

#### Period of Deficits.

"During the years 1918-19 to 1922-23, revenue failed to balance expenditure and the aggregate of the annual deficits amounted to nearly 1,000 millions of rupees. Severe retrenchments and additional taxation have since restarted the financial equilibrium of the Government of India. The national debt has increased since 1913-14 from 1,797 millions of rupee debt and £247 millions of sterling debt to 5,231 millions and £339 millions.

"The sterling value of the rupee, which during the earlier years of the current century had been stabilised as 1s. 4d. increased during the concluding years of the war and again during the trade boom which followed, until in the spring of 1920 it reached its maximum of 2s. 10-1-3d. Thereafter, as trade depression developed, exchange fell to approximately 1s. 3d. in 1921. Subsequently, as a result of successive good harvests and favourable trade balances, the value of the rupee appreciated. By legislation of March 1927 the ratio was fixed at 1s. 6d.

#### Rise in Prices.

India suffered no less than other markets of the world from the rise of prices which occurred during the trade boom of 1919-20 and from the subsequent slump. The economic life of India was affected in many ways:

(a) Although there is not the same problem of industrial unemployment in India as in European countries, yet the usual lag occurred by which the rise of wages followed instead of accompanying the rise of prices. When a subsequent fall of prices occurred and trade became depressed, a general reduction of wages was not found possible.

(b) For several years after the war a serious gap occurred between the prices of raw materials and the prices of manufactured goods. Although both sets of prices were higher than pre-war levels, manufactured goods had appreciated to a greater extent than raw materials. This tendency has had an important bearing on India's trade. Roughly three-quarters of her exports consist of raw materials, while the same proportion of her imports consist of manufactured goods. In other words, a greater productive effort was necessary to enable India to purchase the same volume of imports as prewar. In actual fact a compromise was evolved whereby exports increased (by comparison with pre-war) during 1924 and 1925, while imports were relatively less.

(c) Fluctuations of price have been no less serious in India than in other markets. One result has been that stocks of staple goods are no longer maintained in the world's markets to the same extent as pre-war, for the risk of carrying stocks is enhanced through the uncertainty of prices levels. Producer and consumer are thus in closer relations with each other than they were in pre-war days, and the effects on prices of over and under-production are more quickly felt. To this cause may be attributed the growing tendency on the part of producers of tea, jute and similar products to organise the marketing of their goods in order to counteract those abnormal fluctuations of price which must inevitably occur when the absence of stocks permits the unrestrained impact of varying demand on varying supply.

#### And their Repercussions.

"From the point of view of India—a point of view doubtless shared by other great countries producing raw materials in common demand in the world's markets—the vicious circle from which she seeks to escape is one whereby fluctuations of price prevent the growth of confidence, thus militating in the consuming markets against purchases of her raw materials for stock. The absence of

such stocks makes itself felt in tendencies which exaggerate fluctuations of price and so further discourage the growth of confidence.

"Faced with not dissimilar difficulties, the manufacturing industries of Europe have been forced into conditions of closer and closer organisation. They have learnt that, in the present state of the world's markets, there is little hope of expanding sales unless and until costs are reduced. Reductions of cost are possible in any one or more of the following directions :—

- (a) In the organisation of financial and industrial methods, affecting overhead and distributing charges ;
- (b) In the removal of impediments resulting from Government action ;
- (c) By economies in labour charges ;
- (d) By reductions in the cost of raw materials.

#### Organisation and Efficiency.

"Organisation will undoubtedly play its part in the reduction of overhead charges. The manufacturer must look to Governments to realise the importance of removing all unnecessary impediments to trade. In regard to labour charge, while no actual reduction of wages appears in present circumstances to be either possible or desirable, the contribution of labour would take the form of the elimination of waste and of increased production as a result of increased efficiency.

#### Indian and World Prosperity.

"The fourth heading is that with which India as primarily a producer of raw materials and other countries similarly situated are chiefly concerned. Her contribution towards world economic prosperity can only take the form of progressive effort towards a reduction of agricultural costs, an improvement in the quality and quantity of the crops, and finally, the encouragement of orderly marketing. The effects of this policy will be beneficial not merely to the producer himself in financing him until his crop is finally disposed of and in securing him an increased profit by co-operative sales wisely supervised, but also to the world in general in more efficient methods of cultivation and, therefore, in greater productivity at equal or reduced cost.

#### The Co-operative Movement.

"The co-operative movement is a means towards this end, and its progress in India during the past twenty years has been striking. Only last year, a Royal Commission was appointed to investigate agricultural conditions in India. The commission has been instructed to explore possible extensions of existing activities in the field of research and demonstration, the introduction of improved methods of agriculture and the extension of rural credit facilities. It is at present engaged in prosecuting its enquiries, and its report is awaited with interest.

"It must be remembered, however, that, if real progress is to be made, the manufacturer must share with the primary producer the advantages of the cheaper and better production of raw materials. The demand for manufactured goods can only develop naturally and steadily, as it did in pre-war days, when world prices are stabilised, confidence is restored and equilibrium is again maintained between the costs and profits of producers and manufacturers. Failing such equilibrium, India and the countries at present concerned primarily with the production of raw materials are forced either to curtail their purchases of manufactured goods, at the expense of their general standard of life or, alternatively, to provide more and more for themselves those commodities which they have hitherto found it convenient to draw from abroad".

## INDIA IN THE

# International Labour Conference.

The International Labour Conference which commenced its session in Geneva on the 31st May took a bold and significant step in asking a representative of an extra-European country to take the chair at this session. This honour was conferred on Sir Atul Chatterjee, the High Commission for India.

An important item on the agenda was the question of Compulsory Sickness Insurance which it was proposed to deal with in the draft convention. The session was the most lively. About 45 States were represented and some delegations were singularly large as, for instance, the Japanese Delegation which consisted of about 30 members. There was all-round satisfaction at the fact that the Employers' Delegate from India was an Indian of Mr. Birla's type. Different committees were fairly active and a good deal of spade work was accomplished. Indian employers' view-point was expressed by Mr. Birla in an able speech which won him congratulations from the different sections of the Conference.

### Mr. Birla's Speech.

Speaking on Compulsory Sickness Insurance, Mr. Birla said that although India is not hostile to the principle of such an insurance for labour it found itself in a position which rendered the adoption of the scheme embodied in the draft convention impossible. The present scheme was formulated with reference to European conditions and could not suit India whose industries were not in the same stage of development and could not consequently bear the same burden or strain. Then again, Indian labour whose wages were comparatively low would hardly favour the scheme which contemplated a contribution of part of their income to the insurance fund, established thereunder in India. This question had not even been discussed and time was needed to bring India into line with other countries, which had built up their present position, characterised by the individual strength given under protection afforded by the tariff wall over long periods, in some cases over forty years. He should do his best to bring the matter to the notice of the Indian Parliament which he hoped would take such steps in this direction as might appear justified in view of the country's special position, but for the present he must with due deference to the authors of the scheme say it did not suit India and was therefore unacceptable to them.

Speaking in a general discussion of the Director's Report Mr. Birla touched upon many important points, particularly, that of the establishment of a national correspondent of working hours by Japan.

Discussing the proposed appointment of a national correspondent at Delhi, Mr. Birla remarked that, while it was very essential to have such a correspondent in India, he doubted whether Delhi was the suitable place for that purpose. Calcutta and Bombay being more important business centres in India, Mr. Birla thought a national correspondent should be stationed at either of these places. He also maintained that, if they wanted to have the trust of Indian Labour, they ought to have a correspondent of Indian nationality, and to see that the literature issued from his office was not confined to the foreign language. Hindi was the most prevalent language in India, being spoken by one-third of its population and easily understood by the remaining population. He suggested that all literature should be issued primarily in Hindi.

Mr. Birla was glad that notice had been taken of the abolition of slavery in Nepal. He would draw the Director's attention to a slight mistake in giving its description. Nepal was not an Indian State as was generally understood from that descriptive title. Its status was higher, the ruler being termed His Majesty the King of Nepal. He hoped the mistake would be duly rectified.

Mr. Birla very much deplored that the Japanese Government had been putting off under one excuse or other the ratification of the Washington Working Hours Convention. He said that it was amazing to find in these days when there had been such a remarkable advance in other civilised countries in regard to Labour legislation that the Japanese factories were still working in many cases more than twelve hours a day. He thought at least for the sake of humanity, the Government of Japan should take immediate steps to give effect to the Washington Convention about the hours of work.

Concluding Mr. Birla said that he regretted that in the past Indian employers had taken little interest in their representation at the International Labour Conference. He very much appreciated the remark of the Credentials Committee last year that they desired to see countries represented by men of their own nationality. Indian employers were no less keen upon that point now, and he hoped that in future they would find them always ready to meet the desire of the Credentials Committee in this direction.

#### Mr. Giri's Speech.

Mr. V. V. Giri, in the course of his speech, expressed grateful thanks to Suzuki, the Japanese workers' delegate, for the noble fraternal sentiments he had expressed, especially, his reference to workers in India. He said Sir A. Chatterjee's chairmanship was an honour not only to India but to the East. He congratulated the Director of Labour Office and his colleagues on their wonderful work on behalf of the workers of the world though he declared the Labour Office had not devoted its time and energy to the investigation into and amelioration of conditions in Mandated Territories and countries like India. The living wages for workers was unheard of in India and the system of payment was most unjust to poorer workers. The hours of work in railways were from 12 to 14 and even 16 daily. With regard to the sickness insurance, it was in a sorry state. The Indian Government considered that any practical measure with regard to that question was at present impossible. Speaking on the freedom of association, Mr. Giri declared that even organised associations in India were particularly suppressed and gagged when the real issue between employers and employees arose.

Mr. Giri asked from the Conference for a clear statement as to what action the International Labour Office had taken in the matter of recommending to the countries like Kenya the abolition of forced labour. He wanted these countries to be informed to stop it if they had not yet done so.

Paying tribute to Japan for having retrieved the lost name of the East, Mr. Giri appealed to that country to improve the conditions of their workmen and show to the West that it would be second to none in ameliorating the hard lot of her teeming working classes that built the fortune of the nation.

Mr. Giri congratulated the Director and his colleagues of the International Labour Office for the great work so far accomplished in the name and on behalf of the workers of the world. But while so appreciating, he said, he would not be true to himself or just to those whom he represented if he did not tender his humble but constructive criticism with a sincere desire to further the objects of the great international organisation. He brought to the notice of the Conference that, perhaps for reasons beyond control, the International Labour Office could not devote that attention and energy to the investigation of conditions, of workers in special countries which are given various names such as colonies, protectorates, dependencies and spheres of influence etc., who have the misfortune to be ruled by European nations and where the workers have to fight the capitalists who are more often than not supported by their Government. The Conference, Mr. Giri submitted, should look to these problems more than to the emancipation of the European workers, as they were able to contend with their masters on equal terms and get their reasonable grievances redressed whether by honourable treaties or by means of legislation, without requiring any help from the Labour office.

Mr. Giri continued: "I appeal to my fellow delegates from these countries not to consider for a while that I have been making these statements in a spirit

of fault-finding but only to remind the International Labour Office that a good deal has yet to be done in the interests of the poor workers who have no national Government of their own. Failure to take great care of their interests will rob this organisation of its weight and prestige and will deprive it of its character".

#### Real Representation.

Mr. Giri then drew the attention of the Conference that subject nations were not properly represented at the Conference by their own men. For instance the Dutch, the French and the Belgian delegations had only one coloured representative as delegate or as adviser. The assumption that these delegations represented the colonies was based on a fiction. The Conference, he submitted, should insist on proper representation. Then the Conference could get a clear idea of the conditions prevailing in those special countries.

The International Labour Conference should insist on Governments such as the Union of South Africa to send from time to time a workers' delegate. The workers there are the natives of the soil and they outnumber the foreigners by at least five or six times. The representation of Mr. Clement Cadali, the General Secretary of one of the biggest unions in South Africa should have been accepted. He should have been allowed to be a workers' delegate from South Africa.

The best way to solve these difficult questions was, said Mr. Giri, to appoint a small committee of enquiry to go to these countries and make a study of the conditions there with the help of the Government and workers of these countries. The organisation would then be in a position to judge for itself.

#### "Living" Wages in India.

Speaking on behalf of the workers of his country, he referred to the 'living wages' paid by the Railways in India to their employees which amounted from 8sh. to 14sh. per month on which they had to maintain a family of four to five persons. On the great economic principle of supply and demand the Government, as agent of the Railways, supported this scale.

In conclusion, Mr. Giri emphasised on the need for direct representation of labour in the Legislatures of the country and pleaded for an investigation into the condition of workers in jute, textile and other industries and for the providing of rudimental amenities of labour in those industries.

#### Dr. Paranjyep's Speech.

Dr. Paranjyep in the course of his speech expressed the gratification of the Government and the people of India at the high honour done to India by the selection of the Indian delegate to preside over the Conference. He hoped that this was only an indication of the great interest taken all over the world in the conditions of labour in India. He was glad to learn of the decision to appoint a correspondent of the Labour Office in India and he also strongly supported the suggestion of Mr. Birla, that the appeal of Indian workers should be made through the vernaculars of India.

He referred to the Asiatic enquiry, which was being conducted by the Labour Office, and said that it would be most useful if high officials, such as the Director, were to visit India personally.

Dealing with the internal organisation of Labour Office, Dr. Paranjyep observed that the number of people from eastern countries were comparatively small and hoped that it would be possible to engage a few more people from India, China, Japan and other countries, with the object of increasing the usefulness of the Labour Office.

Replying to the criticisms of Mr. Giri with regard to the hours of work on railways, etc., Dr. Paranjyep declared that no complaint had been made by the Legislative Assembly, that the Government of India was not observing to the letter and spirit the Hours Convention. The Government of India could hardly be blamed for non-observance of the conventions and recommendations of the International Labour Organisation by the Native States.

# South African Indian Congress.

The South African Indian Congress opened at Johannesburg on the 12th March 1927. The full number of delegates were present, including those from places as distant as fifteen hundred miles. Great enthusiasm prevailed.

Opening the session Mr. Andrews bore personal testimony to the spirit of goodwill and good faith, which pervaded the Round Table Conference at Cape Town for which Gen. Hertzog and Dr. Malan were principally responsible. In conclusion he asked that not a single word should be spoken which might weaken the mutual trust already established.

The speeches of the President and the Chairman of the Reception Committee indicated hearty acceptance of the agreement as a thoroughly honest attempt at a friendly settlement. The Chairman of the Reception Committee said: "We meet in a more peaceful atmosphere to give a verdict on the Round-table Agreement. It is the privilege of the South African Indians to gratefully record the honest efforts of the Habibullah Deputation to accomplish a settlement. It is also our privilege to record the co-operation and sympathy of Gen. Hertzog and Dr. Malan, whose admirable attempts to understand the Indian viewpoint have equally contributed to bring about a happy change and friendly spirit."

## Presidential Address.

Mr. GODFREY, President of the Congress, emphasised that the Indian community in South Africa approved the Agreement as a whole and accepted it in the spirit in which it was made. He felt the success of the Agreement would mainly depend on themselves. He stated that many points were still left undecided and much work of criticism would remain to be carried through. But, whatever was done, should be accomplished in the friendly spirit which pervaded the Conference itself.

Continuing, the President said "India sent us her most eminent men, sober with age, ripe in wisdom and experience. It is my duty to record the work of the Executive, Messrs. Kaje, Pather, Nursoo, Naidu and Ismail who rendered admirable service at Capetown with other chosen delegates. Generally speaking, we approve of the settlement though certain parts we must oppose, especially restrictions on the municipal land sales and the tacit refusal to restore our lost municipal franchise. We insist on 'no taxation without representation,' as our inalienable right. There are also many things undecided needing examination. To-day we are more concerned with the intention of the Bill than the actual wording. We recognise the change of heart and warmly welcome it. It is, as Dr. Malan says, an agreement in the nature of an honourable, friendly understanding. Therefore we, Indians, must regard it even more binding, for, if we depart from the honour, we are refusing to act as gentlemen, which is for us impossible.

"We believe that this agreement is an indication of South Africa's desire to do right by ~~us~~. I am certain that, if our resolutions and criticisms are practical and useful, they will receive proper consideration from the Union Ministers. There is much in the agreement which commends itself, reflecting patience and courage of both the Governmen~~t~~s."

"We wish, however, to emphasise the fact that, in future, as in the past, we shall be sober in our demands, just in our aspirations, persistent in our efforts and repudiate all legislation prejudicial to our honour. We are determined, as South Africans, to shoulder the burdens of our adopted country as well as claim the privileges. We want a definite political status and demand it.

"During the coming year, our Executive must supply the Agent-General with the necessary information enabling him to secure full implementing of the agreement."



## The Annual Report.

Mr. Kaje, Congress Secretary, then read his annual report, showing remarkable ability and untiring energy. He mentioned the South Africa prayer-day as the foundation of the success achieved. "Apart from the efficacy of the prayer before the Divine Being, the quietening influence of such a great peaceful gathering is very important. If causes be looked for regarding the change in European opinion, prayer-day is the chief. When the Delegation came, we were privileged to obtain, on innumerable occasions, interviews and consultations of the highest importance. We could not have been treated better, and we would desire to record our gratitude to Messrs. Nursoo, Camay and Rasul, who represented Transvaal; Messrs. Ismail, Khangool and Mahomed Khan, the Cape Province; Mr. Naidu, Natal; Mr. Pather, the Treasurer of the Congress; Mr. Hawn, Vice-President; and also those present, and Mr. Godfrey. We had joint sub-committees with the delegates, entering into the minutest details. We, therefore, duly express our full satisfaction thanking specially the Hon. leader for his courtesy and kindness. It is a matter for pride to our community that the Rt. Hon. V. S. S. Sastri and Sir Pheroze Sethna were the guests of our esteemed colleague, Mr. Sorabjee Rustonjee."

Mr. Kaje then thanked the Indian National Congress, paying a special tribute to Mahatmaji and Mrs. Sarojini Naidu. The Congress then adjourned.

Next day, the 13TH MARCH, when the Congress met, there was remarkable unanimity regarding the acceptance of the Round Table Conference agreement and grateful appreciation of the work of the delegation with an earnest petition to the Viceroy to make Mr. Sastri the first Agent General.

Division of opinion only came concerning local issues, but a wise decision was taken to retain the Durban headquarters of the Congress and reappoint en bloc for the ensuing year all the Congress officers retiring. Johannesburg desired to be the headquarters, but Mr. Kaje. (Durban) had done such splendid work that preferably the office remained there.

## Resolutions.

The main resolution was follows: "The Congress accepts the Round Table Agreement as an honest attempt to find a solution and is prepared to work it as such, while reserving the right to protest against confiscation of the municipal franchise, the restriction on municipal sales of land and the penalising clauses of the Colour Bar Act. The Congress reserves the right critically to examine any new draft bill implementing the Agreement.

A second resolution recorded the heartfelt thanks and deep appreciation of the unparalleled services of the Delegation, creating a new friendly atmosphere and reaching a settlement honourable to both sides, which opened avenues of further development to the Indian community in South Africa.

A third resolution condemned the unauthorised and misleading cables from Durban concerning South African Indian settlement. The strongest language was used concerning this. The so-called Natal Vigilance Association, which was bitterly anti-Congress and ludicrously unrepresentative, was also condemned.

Another resolution earnestly asked Mr. Sastri to become the Agent General.

All these resolutions were passed unanimously, and cordially, with the strong support of each province.

# Interpellations in Assembly

## On Indians Abroad.

### Poll-tax on Indians in Kenya.

On the 27TH JANUARY, the Hon. Mr. Bhore, replying to Mr. N. C. Kelkar's question regarding poll-tax on Indians in Kenya, said that the Government had received a representation from the Imperial Citizenship Association on Kenya Poll-Tax and said: "Yes, I may, however, mention that an ordinance on precisely the same lines as the Asiatic Poll-Tax Ordinance has been passed by the Kenya Legislative Council in respect of Europeans, but under it Europeans will pay a tax of 30 shillings while Indians pay 20 shillings only. The Government are in communication with the Colonial Government.

### Grant of Permit to Dr. Sudhindra Bose to Visit India.

On the 31ST JANUARY Mr. Gaya Prasad Singh and Mr. Belvi asked with reference to the grant of permit or emergency certificate to Dr. Sudhindra Bose to visit India.—"Has the attention of the Government been drawn to his letter published in "The Amrita Bazar Patrika" dated the 15th December 1926, in which he complains that he has not yet succeeded in getting a permit to visit India in spite of the assurance given by Mr. H. S. Amery in the House of Commons in February last that Dr. Bose could, at any time, obtain a certificate? (b) Will the Government be pleased to state definitely whether they have any objection to allow Dr. Bose to visit India? If they have none, what facilities have they offered or are willing to offer to Dr. Bose in this direction?

Sir Alexander Muddiman replied: The newspaper article referred to does not accurately state the position since his renunciation of British Indian nationality. On becoming an American citizen shortly after the outbreak of the war, Dr. Sudhindra Bose has on two or three occasions applied for facilities to visit India. I have previously stated in this House that it was considered inadvisable to grant him a British passport as a passport constitutes a proof of national status and since the judgment of the Supreme Court of the U. S. A. in the case of U. S. A. versus Bhagat Singh Thind, the national status of Indians naturalized in the U. S. A. has been a matter of doubt. Dr. Bose was, however, informed that the Government of India had no objection to the issue to him of an emergency certificate for a direct journey to India. I am not aware when Dr. Bose first applied for an emergency certificate. Our failure to issue one to him immediately was due to a misunderstanding by the British representatives in America. This was corrected and Dr. Bose was informed by the British Embassy early in 1926 that he could have an emergency certificate on application to the proper authorities. If, as is alleged, he is still not in possession of the certificate, it is to be presumed that he has not applied for it. Dr. Bose did, as a matter of fact, correspond with the British Embassy on the subject in the beginning of 1929 when he sought for an assurance that he would be granted a safe conduct and facilities for his return to the United States. This unusual assurance the Government of India were not prepared to give. No conditions were laid down for the issue of a certificate.

### Indians in Kenya.

On the 31ST JANUARY the position of Indians in Kenya was raised by Mr. Gaya Prasad Singh who asked: (a) Has the attention of the Government been drawn to the following resolution passed by the Indian National Congress at Gaubati on the 27th December 1926 that "in the opinion of the Congress the progressively restrictive legislation against the Indian settlers of Kenya as indicated by the latest action of the Kenya Government in increasing the original poll-tax of 20 shillings which by currency manipulation, was raised to 30 shillings

and which has now been raised to 50 shillings by legislation, is calculated to demonstrate afresh that British imperialism means the conversion of interests at the cost of Indian interests, liberty and aspiration?" (b) Is it a fact that in Kenya a sum of £32,000 is required for the education of about 950 European children only and £30,000 for the education of about 2,318 Indian children? (c) Will the Government kindly state why Indians alone have been subjected to the payment of poll-tax and what steps, if any, have they taken or proposed to take in this matter? Is it a fact that in 1920 a deputation of East African Indians waited upon His Excellency the Viceroy for the redress of this wrong?

Mr. Bhore, in reply, said that answer to (a) was in the affirmative. As regards (b) the Government had not yet received official information on this point but understood that the position was as stated. As regards (c) the Hon. Member was mistaken in supposing that Indians alone had been subjected to poll-tax. There was also a poll-tax at a higher rate on Europeans. The Government of India had made representation regarding the system of financing communal education in Kenya. The answer to the second part of this question was in the negative.

Supplementary enquiries by Messrs K. C. Roy and Mr. Rangaswami Iyengar elicited that the Government of India is in correspondence with the Colonial Office on the subject.

#### The Fiji Deputation's Report.

On the 1ST FEBRUARY, replying to a question of Mr. Gayaprasad Singh and the supplementary enquiries of Pandit Hridaynath Kunzru, Mr. Bhore declared that the Fiji Deputation's report was highly contentious. Its publication would only provoke a rejoinder from Fiji authorities as diametrically opposed views were held on the subject and would destroy the present atmosphere of helpful negotiations promising proper settlement.

#### Kenya Affairs.

On the 9TH FEBRUARY, replying to Pandit Hridayanath Kunzru, Mr. Bhore said that the Government of India were aware that the proposal demanding an elected European majority in the Kenya Legislature had been mooted by leaders of the European non-official community and the matter was receiving the attention of the Government of India who were alive to the issue involved.

Replying to Pandit Hridayanath Kunzru's supplementary question, Mr. Bhore admitted that the Kenya White Paper laid down that the colony would not get self-government but Mr. Bhore wanted regular notice to answer the query whether Sir B. N. Sarma had given an undertaking to publish the Fiji Report and as to when the Fiji Government urged the non-publication of this report.

#### Position of Indians in Fiji.

On the 15TH FEBRUARY, replying to Gaya Prasad Singh, Mr. J. W. Bhore, (Education Secretary) admitted that as condition precedent to the appointment of the Indian Deputation, the Fiji Government, in the Fiji Royal Gazette in June 1921 had guaranteed that the position of Indians in Fiji would in all respects be equal to that of any other class of His Majesty's subjects. It was true that on the Fiji Advisory Executive Council there was not a single Indian. It was equally true that restrictions had been placed on Indians in Fiji in the matter of loitering in towns between 11 p.m. and 5 p.m., while no such restriction existed in the case of Europeans. Mr. Bhore said that applications for lands by Indians were generally limited to 10 acres of agricultural land with 20 acres of grazing land, but if an applicant showed he had means to work a large area, the application was seldom refused. As regards any steps on the part of the Government of India in this direction, they were still in correspondence and were unable to make a statement.

Replying to a further question of Gaya Prasad Singh, Mr. Bhore said that representations in regard to the abolition of poll-tax in Fiji and enlarging

municipal franchise in certain localities made by the Colonies Committee of the Government of India and the decisions arrived at by the Colonial Office were recorded in the correspondence on the position of Indians in Fiji which had been published in the resolution of the Government of India No. 24 Overseas dated the 12th January 1927. These were matters on which the elected Indian representatives in the local council would be in a position to press the views of the Indian community on the Colonial Government and the Government of India did not propose to take any further steps at present. It was understood that restrictions were in force regarding gun licences and purchase of arms by Indians but the Government of India have no information as to what precisely these restrictions were. No figures were available from which incidence of taxation of different communities in Fiji might be compared. Indians were at present represented by one nominated member of the Fiji Legislative Council and under the decision recently arrived at by the Colonial Office will be temporarily represented by three nominated members until necessary changes can be made in the Letters Patent to enable the Indian community to return 3 elected members to the Council. The question of their representation in municipal councils has been referred for the consideration of the Colonial Government and would, it is understood, be examined in the first instance by a local committee on which the Indian community would be absolutely represented.

To a further question by the same member, Mr. Bhore replied: "The Inter-Departmental Conference held in London in 1917 published certain proposals for a new assisted system of emigration to Fiji among other colonies for public information and criticism. Assisted emigration to Fiji had not been opened and no question of enforcing the recommendations of that conference therefore arises"

# The Council of State.

The Council of State commenced its winter session on the 8TH FEBRUARY, in the new Council Chamber, New Delhi next to the Legislative Assembly. There was a fair attendance of members.

## Official Business.

The Secretary read a message from the last Assembly signifying its agreement to the amendments made by the Council to the Indian Bar Council Bill, Thirteen Bills passed by the Central Legislature in the last session and assented to by the Governor-General were mentioned. These included the Workmen's Compensation Act, the Cantonment Amendment Act, the Criminal Procedure Code third amendment Act, the Indian Bar Councils Act and the Indian Evidence Act.

## Privileges Enquiry Committee's Report.

After about forty questions had been answered, the President as chairman presented the report of the Committee on the privileges of the House. The Committee was appointed at the instance of Mr. K. C. Roy, but he having gone to the Assembly, Sir Henry Moncrief Smith presented the report. He added that if the members desired to pursue the matter, then the proper course for them was to move resolutions for the recommendations of the Committee being given effect to. The resolution should be subject to admission and ballot process.

The Committee consisted of Sir Mahomed Habibullah, Messrs. S. R. Das, J. Crerar, Ramdas Pantulu, Sir Arthur Froom, Sir Umar Hayat Khan and Sir Dinshaw Wacha.

## Scope of the Enquiry.

The first question considered was the scope of the Committee's deliberations with special reference to the following two suggestions by the Hon. Mr. Ramdas Pantulu: (1) That where a member of the Council of State has committed an election offence, he should be treated as having committed a breach of privilege and his case should be dealt with by the Council and not by ordinary criminal Courts; (2) that the privileges and immunities of members of the legislature should be incorporated in the Government of India Act when the Act is next amended. It was decided by a majority that questions of general powers, privileges and immunities should not be discussed but that the Committee, by its terms of reference, was only authorised to consider the question of the privileges enjoyed by members of the Council as distinct from the privileges of the Council as a body. The above two suggestions were, therefore, not considered.

## Members' Allowances.

The Hon. Mr. Ramdas Pantulu suggested that members should only be permitted to draw daily allowance for 3 days' residence before and after the meetings of the Council instead of for 7 days as at present. The Committee decided unanimously to suggest to the Council to recommend to the Government to reduce the existing period of 7 days to 3 days provided that a majority of non-official members of the Council are of that opinion.

The Committee unanimously decided to suggest to the Council to recommend to the Government that in the case of non-official members, a daily allowance at half the daily rate admissible during a session should be paid for days occupied in travelling to and from the place of sitting of the Council provided, (a) that the same privilege is extended to the members of the Assembly and (b) that the proposal meets with the approval of a majority of the non-official members of the Council.

### Titles.

The Committee decided by a majority that there were no grounds for the alteration of the rule by which a member can reserve a whole compartment. The Committee, with the exception of the Hon. Mr. Ramdas Pantulu, was unanimously of opinion that members of the Council ought to retain the title of 'Hon'ble.' The majority were further of opinion that in any case, the Committee ought not to make any recommendation on the subject of titles for the reason that conferment of honours is a prerogative of the Crown which in India is delegated to His Excellency the Viceroy and not to the Governor-General in Council.

### Allowances to Resident Members.

The Hon. Sir Arthur Froom proposed that a member who is a resident of the place in which the Council is sitting should be entitled to receive daily allowance. The Committee decided to suggest to the Council to recommend to the Government that in such cases, a member should be made eligible for daily allowance for the days on which he attends a sitting of the House or of a Committee of which he is a member.

### Position in the Warrant of Precedence.

The Hon. Mr. Ramadas pantulu proposed that members of both houses should be given a definite position in the warrant of precedence. The Committee unanimously decided to place on record that it has been brought to its notice that owing to the absence of a place in the warrant of precedence for members of the legislature, such members do not always receive on public official occasions in the provinces the recognition to which their position entitles them. A majority of the Committee were of opinion that they should not make any recommendation for the assignment of a place in the warrant to members of the Council of State as they understand that the warrant is designed to regulate precedence, solely of officials amongst themselves. They think, however, that the attention of the Government should be drawn to the necessity of taking steps to secure that members of the Council should have a recognised position at public functions of the nature referred to.

### Exemption from Arms Act.

The Hon. Mr. Ramadas Pantulu proposed that the privilege of exemption from the operation of the Arms Act should extend to ex-members of the Council of State for life. The Committee decided by a majority that since the Council on 26th February 1923 expressly negatived the lesser proposal that ex-members should be entitled to obtain licences, they were not competent to consider this question in the absence of a reference "ad hoc."

The Hon. Mr. Ramdas Pantulu proposed that it should be suggested to the Council of State to recommend to the Government that the local Governments should be forbidden to take punitive or preventive action against members of the central legislature who were touring in the discharge of their public duties without informing the Government of India. The Committee decided to make no recommendation.

The Committee considered the following three questions which were raised in the debate on the Hon. Rao Sahib Dr. Rama Rao's resolution moved on 15th February 1926 viz., equal representation of the Council and the Assembly on the Standing Advisory Committee and like introduction of a larger number of important bills in the Council with the corollary of preference of a larger number of bills to a Select Committee of the Council and the establishment of a convention that voting by the Assembly of grants of the Council of State allowance etc., should not be made the occasion for attacks upon the Council. The Committee decided that these questions appointing it as it had been decided to so interpret that resolution.

### Official Bills.

The Hon. Sir Mahomed Habibullah the introduced a Bill to amend the President Funds Act of 1925 extending the privileges of providing for old age to all classes of educational and administrative bodies.

The Hon'ble Mr. S. R. Das introduced the Bengal Tenancy Act of 1885 Amendment Bill altering pecuniary limits in rent suits as recommended by the Civil Justice Co.

Lastly, Mr. Brayne introduced the Madras Salt Act Amendment Bill so as to fix the minimum charge that could be levied to meet the cost of preventive establishment which had recently increased while there had been lowering of salt duty from Rs. 2-8 per maund to Rs. 1-4 a maund. The House then adjourned.

#### Prohibition of Alcoholic Liquors.

On the 9TH FEBRUARY, the Hon. Ramadas Pantulu moved for the adoption of a policy of prohibition of the use of alcoholic liquors in local administrations under the direct control of the Government of India. He confined his motion to these local administrations in order to raise the whole question of the policy of prohibition as otherwise he could not do so, excise being a transferred subject in the provinces. The Government's policy had been one of regulation as opposed to prevention or prohibition. This policy had, however, been one of mere negation. The Hon. Mr. Ramadas traced the excise policy from the time of Lord Crew and emphasised that Mr. Brayne's amendment for a policy of moderation was exactly what was laid down in 1898, but which had failed to reduce consumption. There were reliable statistics available to show that reductions in the consumption of alcoholic liquors had not resulted in a corresponding decrease in the consumption of other cheap drink. Thus the popular belief that drink evil had grown was absolutely justified. Prohibition was the need of the hour in the interests of the poor people of India. That this was possible was his firm conviction from his study of what was going in the Madras Province. He need not, therefore allude to the experience of America. Alcohol was next to poison and stunted the growth of the population both in quality and number.

#### Mr. Brayne's Amendment.

Mr. Brayne moved an amendment that a policy designed to promote and ensure moderation in the use of alcoholic liquors be adopted in local administrations under the direct control of the Government of India. This formula he said, epitomised the Government of India's policy designed to check consumption by limiting the sale of liquor and consulting local opinion wherever possible. Prohibition, on the other hand, was not moral inasmuch as it interfered with the liberty of the subject. The State had no right to interfere with the domestic concerns of individuals, unless there was evidence of such serious abuse as to prove a menace to the safety and well-being of the population. Moreover, prohibition would result in illicit buying and consumption of liquor. Indeed, this had happened and was happening in America. In areas covered by the resolution, there was no evidence of any great drink evil. Since 1883 there had been a decrease of 50 per cent in the quantity of imported liquor and corresponding decrease in the consumption. This policy would be pursued so that further progress might be achieved in the reduction of consumption. This was the only safe and sure policy.

The amendment of Mr. Brayne was put and carried by 21 against 14 votes. The resolution as amended was then carried, non-officials not challenging a division.

#### Central Road Fund Scheme.

Mr. Suhrawardy moved a resolution recommending that the proceeds of taxation on motor transport be earmarked in a separate account for road development and that a Central Road Development Fund under the Government of India be formed, out of which a yearly grant be made to each local Government according to its needs and necessities for the development of quicker transport in rural areas for the benefit of the agriculturists in India. Mr. Suhrawardy pointed out that his resolution was intended to improve the social and economic condition of the agriculturists. It would secure sufficient mobility of labour and would also help to equalise the prices in agricultural produce and cheaper imported goods. The speaker suggested that heavy import duties on

motor vehicles are to be considerably reduced as recommended by the Taxation Enquiry Committee. A heavy taxation might bring in a large revenue to the Government coffers but it would act as a restraint on quicker and convenient transport in rural areas. He gathered from their report that the present duty was about 30 per cent. Reduction of this import duty was sure to give ample facilities for the increase of trade in rural parts and the Government would not have to incur any loss in matters of revenue. He, therefore, suggested that the Government should reduce the import duty on motor vehicles to an appreciable extent and should earmark the revenue derived from this source exclusively for the development of roads and improvement of rural transport.

Sir Arthur Froom, while supporting the motion, did not agree with its wording. He, therefore, moved an amendment for a Committee including members of both Houses of the Central Legislature to examine the desirability of developing roads and to consider the formation of a Central Road Board for the purpose of advising in regard to and co-ordinating the policy in respect of road development. Sir Arthur emphasised that his amendment was not antagonistic to the main resolution. The present position was that little or no advantage had been taken of motor cars and motor lorries and motor transport; but without good roads there was no use in importing these modern methods of transport. The proposal was a productive one, for any development of roads would come back in the shape of increased agricultural prosperity.

Mr. Subhrawady, thereupon, accepted the amendment which was carried without any dissentient voice.

#### Official and Non-Official Bills.

Mr. P. C. D. Chari moved that instructions be issued to official members of the Central Legislature to refrain from voting on non-official bills and resolutions in the Indian legislature. He said there was no difficulty, legal or constitutional, in the way of accepting the motion. The only question was whether it was necessary or expedient. The speaker quoted elaborately from the Montagu-Chelmsford report to show how the present practice vitiated the very object which the framers of the constitution had in view. It should be the object of the official members to give effect to the constitution and the Government should accede to the view expressed in the motion. The control of the Secretary of State had been relaxed solely to give full expression to the views of non-official members and his motion was quite in accordance with that policy. It was never the intention of Parliament that the official block should be used in order to indirectly defeat the popular view which must be given full scope under the Act.

The resolution was rejected without division.

#### Separation of Posts and Telegraphs.

Dr. Rama Rao moved that the Posts and Telegraph department and their accounts be separated. He said that the Telegraph department was working at a considerable loss and was, consequently a heavy drag on the Postal department. This unjust and unequal combination went to deprive the masses who availed themselves of the Postal service in a much larger measure than telegraph of the benefits of cheap postage. There was no economy either in the working of these two departments together, for in spite of it some old superior staff still continued. Nor was any valid ground adduced by the Government for a combined system except that telegraph charges was paid for in postage stamps and there would be difficulty in apportioning revenues in each department. This, he stated, was a flimsy ground. No such difficulty existed in the case of unified receipt stamps in which various provincial Governments had a share and none should exist in this case where apportionment could be more easily effected. In the interests of the masses, he urged the separation of these two departments.

The resolution was lost without division. The Council then adjourned.

#### Official Bills.

On the 11TH FEBRUARY, six official bills were placed on the order paper. Three of these had been introduced at its first sitting and two already passed by the Assembly.



On the motion of the Hon'ble Mr. Corbett, the Council agreed to the introduction of the Bill amending the law relating to provision, maintenance and control of light houses by the Government in British India.

The Hon'ble Mr. Das moved for consideration of the Bill amending the Bengal Tenancy Act of 1885. The Council passed the Bill without discussion.

Sir Mahomed Habibullah's Bill amending the Provident Fund Act 1925 was taken into consideration. He emphasised that it was to afford relief to the deserving class of public servants in educational institutions.

The Hon'ble S. R. Das, Law Member, then moved the House for consideration of the Bill amending the Limitation Act 1908, Sections 20 and 21 as passed by the Assembly. He said that the alterations made in the law were the result of suggestions made by the Lower Chamber to the Bill passed by the Council last August.

On the motion of the Law Member, the Council passed the Registration Act of 1908 Amendment Bill as passed by the Assembly.

When the Madras Salt Act Amendment Bill was taken into consideration Mr. Ramadas Pantulu expressed his difficulty in according support to a measure which left taxation to the Executive. It was a large order to ask the Council to entrust the Central Board of Revenue with this power. Any cess levied would ultimately fall on the consumer. He wanted statistical details relating to liability before he agreed to passing the Bill. The House then adjourned.

#### Vakils as Chief Justices.

On the 14TH FEBRUARY another batch of six non-official resolutions was placed for consideration by the Council of State.

The Hon'ble Mr. V. Ramadas Pantulu moved a resolution for the amendment of the Government of India Act so as to permit the appointment of High Court Vakils as permanent Chief Justices of High Courts of Judicature in India. He pointed out that the existing disability arose from the construction of the ambiguously worded Section 101. The difficulty really lay in the interpretation of words in an obscure proviso to the Section, the words being "including the Chief Justices and excluding Additional Judges." The matter came to a head when Sir K. Srinivasa Iyengar was proposed to be appointed as the Chief Justice of the Madras High Court and at that time His Majesty's Government was advised not to depart from the existing practice. The late Mr. Montagu was ready to recognise that Vakils were as able as Barristers and therefore should not be prevented from being raised to the rank of permanent Chief Justice. Yet in the year of grace of 1927 the provision was there not only at an anomaly, but as a barbarous anachronism. The Law Membership of the Government of India was thrown open to Vakils and two appointments on the Judicial Committee of the Privy Council were also thrown open to Vakils. But while a Vakil could act as a Chief Justice, he was not allowed to hold the post permanently. With few notable exceptions, Barrister Chief Justices had been found sadly wanting in essential qualities for the post.

The motion was withdrawn.

#### Transfer of Army Head-Quarters.

Sir Ebrahim Jaffer moved that orders for the transfer of Poona district head-quarters from Poona to Secunderabad be immediately cancelled. He wished to make it clear that he had absolutely no intention of interfering with any military strategy. As soon as the move was mooted, citizens and public bodies of Poona expressed their disapproval of the change. Many meetings of protest had been held in an endeavour to persuade the Army Department to consider their decision. He opposed this move on behalf of the Poona citizens, house-holders, shop-keepers and merchants who feared considerable loss at a time when trade depression was beginning to pick up. He opposed the transfer on economical grounds as well as a large sum of money would have to be spent on erection of a new bungalow and head-quarters office at Secunderabad.

The resolution was defeated.

## The National Demand.

The next resolution of Kumar Senker Roy Chaudhuri for effect being given to the National Demand was not moved following the example of members in the Assembly.

## Amendment of Income-Tax Act.

Mr. P. C. Desikachari moved the following resolution:—"This Council recommends to the Governor-General in Council to introduce a Bill in the Central Legislature to amend the Indian Income-tax Act by the introduction of (a) a provision on English lines for allowances in respect of wives, children and dependants of assessee, (b) a provision on English lines for objections and appeals against assessment, (c) a provision for differentiation for income-tax purposes between earned and unearned incomes and (d) a provision for giving effect to the recommendation of the Taxation Enquiry Committee for setting off the loss sustained in one year against profits earned in a subsequent year".

Mr. Chari, in a long speech, referred in detail to the English practice under each head and quoted also the views of Dr. Paranjpye of the Taxation Enquiry Committee on the subject. The principles embodied in the resolution were all admittedly sound and he saw no insurmountable objection to their being incorporated in Indian law.

Sir Maneckjee Dadabhoi, supporting the resolution, said most of the amendments urged in the law were of the right character. His opinion was that these must be adopted immediately but for unfortunate reasons, neither the Council nor the Assembly had discussed the Taxation Committee's report which dealt with several questions concerning taxation. He, therefore, endorsed the view generally expressed and in order to give it a practical touch he moved an amendment for a committee of members of both Houses of the Central Legislature to consider the desirability of amending the Income-tax Act on the lines suggested by the mover.

Mr. Desikachari agreed to the amendment for a Committee and the resolution as amended was carried, the Government not challenging a division.

## Inter-Class Accommodation in S. I. R.

Mr. Rama Rao moved for provision of inter-class accommodation in the South Indian Railway, both metre and broad gauges, and fixing of the fare for that class at five pies per mile, the same as that charged by the Madras and Southern Mahratta Railway Company. The mover criticised the South Indian Railway Administration and said that the Railway Company had been defying public opinion in the matter of providing and improving inter-class accommodation in their trains. They had even suppressed the fact of provision of inter-class accommodation in up and down Ceylon Boat Mails from their budget submitted to the Government last year. The Government had also made a misleading and incorrect statement in the proceedings of the Standing Finance Committee for railways that there was no inter-class in S. I. R., though actually there was inter-class provided in two trains at last, albeit experimentally. A maximum rate of  $7\frac{1}{2}$  pies per mile was collected from passengers. He quoted facts and figures to show that the inter-class was popular in S. I. R. and urged on the Government to take immediate steps to have inter-class accommodation provided in all mail and passenger trains of the S. I. Railway, both metre and broad gauges, and to fix the fare at five pies per mile.

## The Light-Houses Bill.

On the 15TH FEBRUARY, the Council of State agreed to the motion of Mr. Corbett that "This Council do recommend to the Legislative Assembly that the Bill to consolidate and amend the law relating to the provision, maintenance and control of light houses by the Government in British India be referred to a Joint Committee of this Council and of the Legislative Assembly and that the Joint Committee do consist of 12 members."

The Law Member then moved that the bill relating to forests, transit of forest produce and duty leviable on timber and other forest produce be taken into consideration.

The bill was then taken into consideration and on the motion of the Law Member, after certain verbal alterations the bill as amended was passed.

#### Separate Province for the Andhras.

On the 16TH FEBRUARY, four non-official resolutions appeared on the order paper when the Council met. Mr. Ramadas Pantulu moved :—

"This Council recommends to the Governor-General in Council to advise His Majesty's Government to take such steps as may be required to constitute the Andhra Telugu districts into a separate province with a full measure of responsible Government."

Mr. Ramadas Pantulu traced the history of this question at great length. In particular, he referred to the conditions laid down by Mr. Crerar, Home Secretary, when a proposition for the separation of provinces on a linguistic basis was brought forward last year. At that time, the conditions mentioned were that the community concerned must express themselves first in the matter, secondly, that there must be a strong expression of public opinion and thirdly, public opinion must in the first instance be expressed through the primary and constitutional channel, i.e., Legislative Council. All these conditions had been fulfilled in the case of Andhra districts. Successive conferences of the Andhras held under distinguished persons like Sir B. N. Sarma, Raja of Panagal and Dewan Bahadur Ramachandra Rao had expressed themselves in favour of a separate province. The Andhras were politically-minded, progressive people. There was practically unanimity of opinion among the Andhra members of the Madras Legislative Council in favour of a separate province. The claim of the Andhras for a separate province was recently conceded by the establishment of a separate university. In pleading for a separate province, Mr. Ramadas Pantulu said he had in his mind the constitutional future of India as a federal form of Government. In outlining the scheme of Government for the Andhra districts, Mr. Ramadas Pantulu said: (1) The province is to be a unit of a congeries of self-governing Indian provinces associated for certain purposes under a responsible Government of India on a truly federal and quasi-federal basis. (2) The Governor of the province must be strictly a constitutional Governor. (3) The provinces should have a unicameral, not a bicameral legislature entirely elected on the basis of universal adult franchise and on a system of proportional representation by a single transferable vote. A second chamber in a local legislature contemplated by Section 84-A, Government of India Act, is a grave danger which is to be guarded against. (4) The Executive should be undivided and diarchy should completely disappear. The Executive should be fully responsible to the legislature. (5) The province should enjoy as complete a measure of fiscal autonomy as is compatible with its relations to the Central Government and any agreed scheme of financial adjustments between the two. (6) Civil service should be organised and recruited on a provincial basis except such all-India services as may be agreed upon between the Provincial and the Central Governments. Covenanted Indian Civil Service should be abolished. (7) The Government of India should also be a Government responsible to the legislature. The defences of the country will be the exclusive province of the Central Government.

The resolution was put and lost, 28 voting against and 11 for.

#### Road and Railway Bridge at Mangalore.

Dr. Rama Rao moved his resolution asking that Netravati Bridge near Mangalore on the S. I. Railway line be made available also for cart traffic between Mangalore and neighbouring villages of Ullal, Permanoor, Kotekar etc. He said that owing to congestion in Mangalore and consequent unhealthiness of the town this extension was decided upon by Mr. Vibert, a former Collector of South Kanara and the village of Ullal is now growing into a splendid garden city through private enterprise resembling Malabar Hill of Bombay in all respects. The Netravati river between Mangalore and Ullal is not fordable except by boats and during the floods, passage is rendered almost impossible. He requested the Government to make some provision for cart traffic along the railway bridge which he said could be conveniently done as the bridge was

already meant and suitably constructed for the purpose and thus give some relief to suffering Mangaloreans. The resolution was withdrawn.

#### Utilising Interest on Muslims' Deposits

Sir Ibrahim Jaffer moved that steps be taken to make available for the improvement and expansion of Muslim education all interest accruing from deposits in postal savings banks and Government Securities belonging to Mussalman who do not, owing to religious scruples, receive interest therefrom and that this arrangement be given immediate effect in the provinces in which Muslim public opinion is agreeable to the scheme. The mover pointed out that a summary of the opinions of provincial and other minor Governments as forwarded to the Government of India on the subject showed that the majority of Muslims consulted are in favour of the formation of a fund for the purpose he had suggested and the majority consider that no serious religious susceptibilities of the community will be offended. The majority of local Governments also did not raise any objection in the scheme. There was a slight opposition to the proposal on the part of a minority and for this reason he had moved in his resolution that the scheme be put into immediate operation only in provinces where there was no special opposition.

The motion was declared carried, the Government not challenging a division.

#### Revision of Court Fees.

On the 22ND FEBRUARY, Mr. P. C. Deiskachari moved for the appointment of an expert committee with a non-official majority to revise the Court Fees Act and the schedule thereto in such a manner as to pitch the scale of court fees as low as possible consistently with the production of revenue just sufficient to cover all sorts of administration of civil justice. He said that capital expenditure should be borne by the general taxpayer while the cost of maintenance alone would be borne by litigants. He was not for increasing litigation but honest litigation should not be checked. The existing schedule was very defective inasmuch as there was no scientific adjustment in rate. His purpose in asking for an enquiry was to see that there was a more equitable and rational basis of levying fees. He suggested levying of initial fees and then increasing the rate so that there should be no element of taxation but only of penalty. The resolution was lost.

#### Restrictions on Medical Practitioners.

Dr. U. Rama Rao moved that restrictions now imposed on registered medical practitioners who did their own dispensing in respect of such matters as maintenance of detailed accounts for opium preparations prescribed or dispensed by them as medicines for their patients be relaxed.

Dr. Rama Rao said that the Excise Department was rather harsh on the medical profession when it demanded of them to maintain detailed accounts for every little bit of opium they prescribed and dispensed, especially when such small doses in combination with other drugs could not induce the drug habit in a patient or produce intoxication. While a licenced opium vendor could sell one tola of opium at a time to any individual who asked for it and when that individual could dexterously manage to get as much opium as he wanted provided he did not possess more than one tola with him at a time. He failed to see why a medical man alone could not be trusted more than the licenced vendor and should be harassed and treated as if he were a suspect. He wanted the Government to be more generous to the profession and asked them to relax those excise rules so as to give them less worry and more freedom of action in regard to opium prescriptions.

Mr. Brayne, on behalf of the Government, pointed out that it was a provincial subject. The Government of India had, in pursuance of their international obligations, given certain solemn undertakings in respect of poisonous drugs which they could not break.

Dr. Rama Rao suggested that copies of this debate might be forwarded to local Governments. Mr. Brayne agreed to this course. Thereupon Dr. Rama Rao withdrew the resolution.

Societies' Registration Act Amendment.

Mr. Khaparda next stood up to sponsor the Bill of Mr. Kelker to amend the Societies' Registration Act in order to allow political associations to be registered. Mr. Haig, Home Secretary, supported the Bill but suggested two verbal amendments which were agreed to. The Bill, as amended, was then passed without discussion. The House then adjourned.

Discussion On South African Agreement.

On the 23RD FEBRUARY the terms of the South African settlement were discussed in the Council on the motion of Sir Dinsha Wacha conveying to the Governor-General in Council the appreciation of the Council of the results achieved by the Government of India Delegation to the recent Round Table Conference on the Indian question and expressing the hope that the direct relations that have now been established may eventuate in lasting amity between India and South Africa by a satisfactory settlement of any questions that might still require adjustment.

Sir Dinsha Wacha in moving the resolution said it was the echo of the general wish expressed by the members of this House after Sir Mahomed Habibullah had made his statement the other day. He traced the South African problem and pointed out how at one time the exasperation of the Indian community had reached a climax threatening a Retaliation Bill in the Central Legislature. Fortunately the statesmanship of the Indian rulers and the commonsense of the people withstood all such attempts and now they were in a position to congratulate each other on the happy settlement reached. It was the strenuous efforts of Lord Reading which very nearly found a via media and then in Lord Irwin they had another Viceroy who was equally patient and strenuous in fighting the Indian cause. Circumstances also favoured, for the attitude of General Hertzog had considerably changed for the better and not only General Hertzog but also South African Statesmen understood the feeling and sentiments of the Indian people. These circumstances were very fortunate and created a favourable atmosphere for the Round Table Conference. Combined with this there was the best selection of representatives from India made by Lord Irwin's Government. Everybody expected a favourable settlement and this had now been achieved. The delegation from India went to work something after the spirit of Locarno. The spirit of Locarno was there in South Africa and Sir Dinsha Wacha hoped that this spirit would continue so that other points which required adjustment might also be achieved.

Sir Mahomed Habibullah, replying, felt more embarrassed to-day than when he announced the settlement, because encomiums were gracefully lavished upon him and other members of the Delegation. But for the enthusiastic co-operation of his colleagues they would not have been able to achieve much good. Indeed the whole delegation worked as a team and the results accomplished were really potential of the good which was yet to come. Mr. Gandhi had described the position as a change of attitude on the part of the Union Government from one of remorseless hostility to generous toleration. This connoted a change of heart and when this was achieved they could confidently hope that the problems in South Africa would go on solving themselves in future. The first change was effected by the marvellous work of the Paddison Deputation and the restraint exercised by party leaders in the central legislature and the Indian press and the public. Indeed, last year the atmosphere had reached the boiling point when Lord Reading with his usual sagacity and statesmanship, summoned a conference of party leaders not to bring any motion which would result in further embittering the relations that existed at that time between India and South Africa. The advice was accepted and now they were all in a position to see the wisdom of the course. At the same time he wished to pay a handsome tribute to the wisdom, sagacity and statesmanship of the Ministers in South Africa who were quite anxious to explore all possible means of solving a problem which for decades had agitated the public mind both here and in South Africa. In particular Sir Mahomed referred to General Hertzog who displayed broad-mindedness and Dr. Malan who displayed the godliness of a

clergyman, the acute intellect of a journalist and the diplomacy of an administrator. He also acknowledged the large-hearted hospitality extended to the delegation ever since their arrival in South Africa and till the moment of their departure.

Referring to Mr. Ramadas Pantulu's complaint that the legislature was not consulted before ratifying the agreement, Sir Mahomed referred to the usual practice of the Government of India which, in the case of treaties and agreement's never consulted the legislature before ratification. This was the case in the mother of Parliament as well. Why, Dr. Malan, the Minister of the Interior of a democratic Government himself, announced the terms in the South African Parliament by saying that the settlement had been ratified and that the Parliament could discuss it later? Admitting for the sake of argument that the legislature had a right to be consulted before ratification, then Sir Mahomed felt sure that the Council would have given whole-hearted support to it and there would have been nothing like acrimonious discussion thereon. However, he noted Mr. Ramadas Pantulu's point that political and municipal franchise was not conferred on Indians in South Africa. He felt sure that as feelings between the two countries would grow and the atmosphere gained accession of strength on the side of Indians the grant of these rights would adjust themselves to the prevailing conditions. The settlement now arrived at might be regarded as a prelude to the possibility of such a condition. Mr. Pantulu had remarked that South African Indian opinion must be consulted on this settlement. According to a Reuter's telegram received to-day, it appeared that all shades of opinion in the Cape Province applauded the Indian agreement (Swarajist Benches: Hear, hear). So, there need be no misgivings on that score.

Proceeding, Sir Mahomed acknowledged the services to India of Mr. C. F. Andrews who acted as a valuable link between the delegation and the Indian community in South Africa. Concluding he said:—"If I may borrow a simile our deputation was like a body of medical practitioners who were summoned to South Africa to examine a patient whose conditions had been pronounced to be critical and who was suffering from a chronic disease. We went there, we examined the patient, diagnosed the disease and applied a certain remedy. While leaving the patient, we returned with the satisfaction that he had turned the corner. That does not mean that he does not need further nursing and looking after. He will continue to be nursed and treated. We hope that from day to-day he will make progress until he is himself again.

The resolution was adopted unanimously amidst general cheers. The Council then adjourned.

#### Agricultural indebtedness.

On the 24TH FEBRUARY, Mr. V. Ramadas Pantulu moved his resolution recommending the adoption of measures for the reduction of agricultural indebtedness in India and to establish land mortgage banks to provide the agriculturists with long term and easy and productive credit. Mr. Ramadas described the position of the agriculturists as one of chronic poverty leading to low agricultural production. There had been no organised attempt in India to consider the question as a whole. The fact, however, was known that agricultural indebtedness amounted to 600 crores and there was general agreement that this indebtedness was increasing. Low economic efficiency of the ryot led to deterioration of soil and impaired the productivity of land. Land being a national asset, the State was bound to preserve its economic state. Moreover, it was the State which derived most of its income from land. Mr. Ramadas quoted the views of Sir Edward MacLagan in support of his argument and opined that the best method of solving the problem was to establish land mortgage banks to provide agriculturists with long term easy and productive credit.

Continuing Mr. Ramadas Pantulu said that these banks could not be started without State aid. This State aid should take the form of Government instituting assessment value of lands. Secondly, the interest of debentures should be guaranteed by State till they become popular. Then the State should also invest in mortgage banks moneys lying in deposit with it at little or no interest. Lastly, the Trust Act should be so amended as to permit of investment in banks.

The Council divided and the resolution was carried. The Council then adjourned till the 28th when the general budget was presented. The Steel Protection Bill was discussed on 1 March.

### STEEL PROTECTION BILL.

On the 1ST MARCH Sir George Rainey, in moving that the Indian Steel Industry Protection Bill as passed by the Legislative Assembly be taken into consideration, spoke for a little over one hour. After briefly referring to the history of protective movement of steel industry in this country, he pointed out that three classes of steel in Jamshedpur required no fresh protection and they were fish plates, sleepers and tin bar. Heavy and medium rails and galvanised sheet required not only  $12\frac{1}{2}$  per cent protection, but for other classes of steel revenue duty would give inadequate protection and substantial addition to it was, therefore, necessary. After comparing the difference in duties as existed now and as proposed, Sir George Rainey explained that heavy as the drop had been in the prices of imported steel, the cost of production had come down even more substantially, while the output of finished steel at Jamshedpur promised to be half as large again as the output which was believed to represent the full capacity of the works in 1924. Continuing, Sir George said that the Tata Steel Company was hoping now to reduce the cost of production in Jamshedpur and by April 1934 they would be able to dispense with any scheme of protection from the Government. After explaining to the House the method adopted by the Tariff Board in fixing the cost of production of steel in Jamshedpur, the speaker went on to say that the measure of protection now sought to be given was the difference between the fair selling price for Indian manufactures and the estimated price at which imported steel entered India. Explaining why purchasers were willing to pay extra to get British steel, Sir George said that British steel was made to what was known as the British standard of specification laid down by the British Engineering Association in consultation with the users and manufacturers. If neither British nor continental steel could be used to determine the measure of protection, it was natural to ask why the 1924 plan should not be adopted. If it was, the price of standard steel would become unmanageably high. Apart from this, it was impossible to fix the amount of duty unless it could first be ascertained what proportion of his output the Indian manufacturer would sell to the purchasers who would pay British price and what proportion to those who would only pay continental price. Continuing, Sir George maintained that in view of India's treaty obligations it was impracticable to impose a basic duty on British steel and anti-dumping duties on steel imported from particular countries. On the scheme to combine protective duties with bounties, the speaker said that in proportion as protective duties achieved their object the payment of bounties became financially impossible. On the proposal to differentiate between expensive standard steel and cheap standard steel, he said each class supplied a different demand and, therefore, differentiation was impossible.

After examining at length the alternative schemes brought forward before the Assembly Sir George answered the criticism in respect of alleged imperial preference in the Bill. The Government, he said, were actuated by no motive other than that India should benefit. After explaining the reasons why continental steel was cheaper because of certain methods adopted in the continent for production of such steel, Sir George said that the proposed scheme was the work of an entirely impartial body and had a strong claim to the endorsement of the council of State.

#### Mr. Ramadas's Amendment.

Mr. V. Ramadas Pantulu then moved his amendment laying down that it was open to the Governor-General in Council if satisfied that articles under part seven of the schedule were being imported at such a price as was likely to render ineffective the protection intended to be afforded to similar articles produced in India to increase such duty by notification as he thought fit.

Mr. Ramadas Pantulu said the combined effect of the scheme of differential duties and the official scheme was open to grave objections of a political and

economic character. The British press and the Anglo-Indian press were gloating over the committal of the Assembly to this principle as a good augury for the future of British trade. Economic objections were equally serious if not more. The scheme imposed unnecessary burden on the consumer of at least Rs. 40 lakhs per annum computed on a cautious basis without benefit to the Indian industry. This additional burden operated to afford a generous measure of preference to the British manufacturers and put illegitimate protective duties into the pocket of the Government. The consumers of steel in places like Madras, Bombay, Karachi and Burma were compelled to pay higher prices for continental steel with which the Tatas did not compete. Then there was a real danger if inferior steel was placed on the Indian market at a high cost. His scheme was this. Duties to be imposed were duties proposed in the official scheme for British manufactures and called basic duties. This duty was to be uniform on steel coming into India from any source instead of additional duties now proposed. To protect Tatas against continental competition an amount equal to additional duty should be given by way of bounties. The amount of these bounties would approximately be Rs. 25½ lakhs, a fund from which could be paid the excess of the amount realised by protection duties over ordinary revenue duties. This excess was estimated at Rs. 65½ lakhs. The merits of this scheme were that it would eliminate the most objectionable feature of securing British preference besides removing unnecessary burden from off the shoulders of the consumers. It would not at any rate heighten it. It would also prevent the Government deriving additional illegitimate revenue from protective duties and finally afford the same protection to Indian industry as the official scheme without its drawbacks.

The House then divided and rejected Mr. Pantulu's amendment by 33 against 11 votes. Clause two was then passed without opposition.

#### Sir Sankaran's Amendment.

Sir Sankaran Nair then moved the insertion of a new clause after clause two to the effect that if was shown that there was no difference in quality between articles of British and non-British manufacture, no protective duty at special or differential should be imposed. Sir Sankaran Nair said that England was anxious to exclude the Luxemberg Steel combine and prevent continental steel from competing with her. In the present state of India's mind, the Government should not do anything that smacked of this.

Continuing, Sir Sankaran said that if continental steel was satisfactorily shown to be of the same quality as British standard steel, no differential duties should be levied. In other words, his amendment wanted a distinction to be made not between British and continental steel but between standard and non-standard steel.

Sir Sankaran's amendment was thrown out by 30 against 12. The House, thereafter, passed all clauses of the bill.

#### Bill Passed.

Mr. Pantulu did not move his other two amendments as they were inter-related to his first one which had already been rejected by the House.

Sir George Rainey then moved that the bill as it stood be passed. Seth Govindas, in opposing the motion on behalf of the Congress Party, said they were not against the protection of indigenous industry, but they were strongly opposed to imperial preference introduced in the bill. Sir George Rainey not replying the motion was put to vote and carried without division. The House then adjourned.

On the 3RD MARCH the Council had a brief sitting with non-official resolutions. On the 5th March, the House held a general discussion of the Government of India's Budget.

#### Malpe-Mangalore Line.

On the 7TH MARCH, Dr. U. Rama Rao moved for construction of a new railway line between Mangalore and the nearest British territory and that provision be made for the purpose in the Railway Budget.



Dr. Rama Rao traced the history of agitation for railway facilities in South and North Canara Districts and said that all proposals had been rejected by Government under various pretexts. In view of Mangalore-Malpe line survey might be extended and the gap made up. The suggested line, said the mover, would bring happiness to people. The motion was ultimately withdrawn.

#### Compulsory Military Training For Students.

Mr. Ramadas Pantulu then urged the adoption of measures of provision of compulsory military training for college students in Indian Universities. Mr. Pantulu condemned the educational system which was making weaklings of youngmen. Physical education was as necessary as intellectual education. He quoted the Esher Committee's Report to prove that students corps were likely to furnish best material on which to build national army. If he was asked for a parallel to his move in other countries he would ask the counter question whether any other country emasculated the nation by law as in India. In the Madras University they had already been moving in favour of compulsory military training. Continuing, Mr. Ramadas condemned the excuse that during vacations it was not possible to look after the arms of the University Corps. He would ask what had become of police stations and other Government offices. Although Universities like Benares and Aligarh were demanding compulsory training, Government were taking an indefensible attitude. He deplored the lack of facilities for military training of Indians either in India or in England. There was no danger either to the Empire or to the permanence of British rule in organising a sound national militia as a second line of defence.

#### Mr. Desikachari's Amendment.

Mr. Desikachari opined that the resolution did not realise the difficulties in the way of its acceptance. If the mover's object was provision for military drill and training in arms to that effect the word "compulsory" ought to give way to the words "further facilities."

The House without division carried Mr. Ramadas Pantulu's resolution as amended by Mr. Chari.

#### Combating Tuberculosis.

Sir Ebrahim Jaffer then moved his resolution for immediate steps to be taken to call a conference to discuss the question of a provision of tuberculosis hospitals, sanatoria and institutions for training practitioners in tuberculosis treatment throughout India. Sir Ebrahim said the Government could start off in a very definite way to combat the scourge where they know it existed. During the past twenty years there had been a noticeable progressive increase in the extent of infection by about fifty percent over the previous figure. He admitted that a certain amount of relief work had during the years been undertaken by the provincial and central Governments. But in view of the vastness of the task, previous efforts had been a bare tinkering at the problem.

The resolution was accepted by the Government and passed by the Council which then adjourned.

#### Control over Medicinal Drugs.

On the 9TH MARCH, Sir Ebrahim Jaffer moved his resolution urging all provincial Governments to take immediate measures to control the craze for medicinal drugs by legislation for standardization of preparation and sale of such drugs. Sir Ebrahim quoted from discussions at the last Science Congress that there was a tendency among practitioners to overdose their patients with drugs which meant that an enormous amount of money was wasted on medicines. He did not intend in this resolution to interfere directly with provincial control over ordinary narcotic drugs such as opium because he realised it was a matter connected with excise revenue and also that excise policy was a transferred subject. There should, however, be absolutely no difficulty in seeing that drugs and drug preparations manufactured in this country were subject to Government control to see that the quality of preparation was at least up to the standard laid down in the Pharmacopoeia. All round the world there was long trial of human misery and suffering due to indiscriminate use of drugs ostensibly as medicines, but actually

as narcotics and intoxicants. He, therefore, declared that the fight must be waged against threatened dangers to the people of this country.

#### An Amendment.

Sir M. Dadabhoj moved an amendment calling upon all provincial Governments to control medicinal drug traffic. The resolution as amended was carried.

#### Amendment of Forests Act.

Mr. Anugraha Narain Sinha then urged the appointment of a committee to suggest the amendment of Forests Act and said that, since the passing of the measure in 1878, conditions had changed with the result that provisions were now proving a hardship to the people. With a view, therefore, to so amend the Act as to meet modern requirements, he would urge acceptance of his motion.

Sir Maneckji Dadabhoj moved an amendment to refer the matter to local Governments for opinion. The resolution as amended was agreed to.

#### Indian Delegation to League Assembly

Sir Phiroze Sethna, moving his resolution in favour of the appointment of an Indian to lead India's delegation to the Assembly of the League of Nations, at the next and subsequent sessions, recalled his previous resolutions on the subject. He also recalled Mr. Das's reply last year that the Government hoped to appoint an Indian to be the leader. The speaker who was in England at the time when the leader was chosen from among Britishers last year wrote a letter to "The Times" of London and had asked whether eminent Indians like Lord Sinha and the Right Hon'ble V. S. Srinivasa Sastri and Sir Ali Imam were not considered qualified to lead the Indian deputation. Sir Mahomed Shafi and Mr. Das had said on previous occasions that under the existing constitution, the Secretary of State was ultimately responsible for the matter. To the allegation that the questions before the League of Nations also involved those of international or foreign relations, Sir Phiroze Sethna replied that the Government of India had also foreign relations to deal with and asked whether Indians in the Government of India were not found qualified for the purpose. To choose, not necessarily a member of the British cabinet but always from among the Britishers, the leader of the deputation was unwarranted and unjustified and constituted a slur that there was no competent Indian to lead the delegation; but the Government of India themselves ought to tell the Secretary of State to choose an Indian like Sir Mahomed Habibullah who led the Indian deputation to South Africa with remarkable success.

The resolution was carried 25 voting for and 18 against it. The House adjourned.

#### Official Bills.

On the 10TH MARCH, on the motion of Mr. S. R. Das, the Council agreed to pass the Bill amending certain enactments and repealing certain other enactments. The Bill to amend the Sea Customs Act for certain purpose having been agreed to on the motion of Mr. Brayne, Mr. S. R. Das moved for certain verbal amendments in the Bill for amending Indian Limitation Act as passed by the Assembly. The amendment was agreed to without discussion and the Bill as amended was passed unanimously.

#### Members' Privileges.

Mr. V. Ramadas Pantulu then moved the following resolution: This Council recommends to the Governor-General in Council to give effect to the following recommendations of the Committee appointed to enquire into the privileges and status of members of the Council of State:—

(1) that members should be permitted to draw daily allowance for a period of three days' residence before and after the meeting of the Council instead of the existing period of 7 days;

(2) that in the case of non-official members a daily allowance at half the daily rate admissible during a session should be paid for days occupied in travelling to and from the place of sitting of the Council provided that the same privilege is extended to members of the Assembly; and

(3) that a member who is a resident of the place in which the Council is sitting should be made eligible for daily allowance for the days on which he attended a sitting of the House or of a committee of which he is a member.

Mr. Ramadas Pantulu traced the history of the question and said that the committee had been appointed at the instance of Mr. K. C. Roy who, as a Member of the House, had suggested taking up this question in committee instead of Dr. Rama Rao's motion in favour of discussing it in open House. The Committee had already made certain recommendations which it was for the Government now to carry into effect.

The House divided on the first clause which was rejected by fifteen against seven. After the first clause had been rejected, the second and third as amended by Mr. Das were carried. The Council then adjourned.

#### The Hindu-Muslim Problem.

On the 16TH MARCH, after a week's recess, the Council of State held an important sitting with a non-official resolution and amendments of a contentious character.

Sir Sankaran Nair moved a resolution recommending to the Government that the number of members of Legislative Councils in India be not increased, that no additional powers be conferred on them expressly or by implication and that no further step towards responsible Government be taken until Hindus and Mahomedans agree to dispense with the election of members to those Councils by separate electorates composed only of Hindus or Mahomedans.

Sir Alexander Muddiman, speaking on behalf of the Government, paid a tribute to the remarkable manner in which Sir Sankaran Nair had moved his resolution. He had no hesitation in saying that it was a remarkable resolution of a remarkable personality and not a backbencher. In the opinion of some, it would mean that if effect were given to Sir Sankaran Nair's motion the Reforms should be put off indefinitely until and unless the differences referred to were composed. Continuing, the Home Member said that the authors of the Montagu Chelmsford report clearly recognised that separate representation would perpetuate class division and stereotype the existing relations, but they were convinced that the present system must be maintained until conditions altered even at the price of slower progress towards the realisation of common citizenship. The same was the view of the Franchise Committee. After mentioning the names of the Councils where separate representation was given to minorities like Mahomedans, Christians, Anglo-Indians, Non-Brahmins and Europeans, the Home Member referred to the evidence given by Sir Sankaran Nair before the Southborough Committee where he was in favour of separate representation for Non-Brahmins because he could not help giving it. Sir Sankaran's later evidence showed that he proposed the method of reservation of seats and not communal electorate. He (the Home Member) knew what it was to suffer from the tyranny of the majority. He was undergoing that tyranny for the last three years in the Assembly. He was not surprised at the feeling of apprehension among minority communities in a country where universal conception of relations between majority and minority as existing in England and advanced countries had not been fully attained. He knew the short-lived Bengal pact, but there were also resolutions of the Muslim League which were not helpful. The majority of the Muddiman Committee was not prepared to recommend the substitution of reservation of seats for separate electorates. The views of the minority on the committee were in direct opposition to Sir Sankaran Nair's resolution. The Government of India, therefore, had not and could not change its attitude in regard to this question as the demand for separate representation of minorities instead of diminishing had continually been on the increase. The reforms were in some measure responsible for this position. Power had been gradually handed over to representatives of the people and the exercise of that power had become a source of strife between the two great communities in this country. Mr. Jinnah had said that nationalism could not be created by having mixed electorates, but Sir Sankaran Nair said that it was not possible to have nationalism with separate electorates. As Lord Irwin said at Poona communal

representation promoted division. The situation demanded a wide measure of mutual toleration and until that stage was reached any substantial modification of the existing system would largely depend upon the general consent of all communities. The Government, said the Home Member, were primarily convinced that the relations between Hindus and Mahomedans would have been more bitter than what they were now if they had attempted to force on the people in 1919 reforms without some form of communal representation. Of course, so long as the British Government was in India, they would see that the two communities did not break their heads but let the western conception of relations between majority and minority be developed. Whatever the result of the debate, he hoped that it would proceed in such a manner as to leave some room for further progress on the path of reforms.

#### Mr. Sukrawardy's Amendment

Mr. Sukrawardy, in moving his amendment, favouring the institution of separate electorates without reducing the majority into a minority or even to equality, deplored that Sir Sankaran Nair with his quarter of a century's distinguished public life behind him should have brought forward the resolution. Mussalmans were in a minority and their educational facilities were not many. Sir Sankaran was mistaken if he thought that muslims were opposed to further extension of constitutional reforms. On behalf of Bengal, he would ask Parliament to grant reforms, but he was bound to say that consistent with their position in the country they could not agree to Sir Sankaran's motion. To his mind the joint electorate was the ideal end in view. (Cheers), but in the meanwhile mass psychology had to be changed. It might be argued that seats might be reserved for Mussalmans. He did not call it altogether a bitter pill, but he would say that Sir Sankaran Nair instead of telling Mussalmans to give up what little they had should tell the Hindus to observe the spirit of the adage "Live and let live".

#### Sardar Jaidev Singh's Amendment.

Sirdar Jaidev Singh Uberoi explained that Sir Sankaran's motive was not to retard progress towards Swaraj but to apply indirect means of bringing about the much desired unity between the communities. To the extent, therefore, his resolution deserved welcome, but at the same time they should not forget that the authorities of the Montford scheme had distinctly recognised the necessity for communal representation. He would say that the communal electorate was certainly an impediment. He, therefore, removed what he called a media amendment favouring separate representation of important minorities, but he was sure that joint electorates would serve the very purpose of communal electorates. As a Sikh, he would be only too glad to find his community in a joint electorate.

The position of the Congress Party in the Central Legislature on communal representation was explained by Mr. Ramadas Pantulu. He observed: The Congress stands for national unity on a footing of inter-communal harmony. Its scheme of responsible Government is broad-based on what may comprehensively be described as national as opposed to sectional or communal ideals. We believe that our salvation lies in clear conception and practical realisation of a united India nation. The Congress never accepted the political heresy that co-existence in India of communities, cultures, castes and languages is a real impediment to the attainment of full nationhood and freedom by the people of this country, but we are alive to the fact that nationhood and freedom cannot be attained without our developing a full and practical sense of justice to all communities and creeds which is in no way inconsistent with nationalism and which alone can safeguard the legitimate rights of minorities in any scheme of political reconstruction of India. It is an inevitable feature at present. This position was made perfectly clear in the National Demand placed before the central legislature in September 1925 wherein we insisted upon Government taking steps to constitute a suitable agency adequately representative of all Indian, European and Anglo-Indian interests to frame with due regard to the

interests of minorities a detailed scheme of Self-Government based on the principles enumerated in that demand. Representation of communities in India in just and adequate proportions in various spheres of national life and activity with safeguards to automatically ensure in time full nationalism and complete obliteration of communalism is but a corollary to the practical application of these principles to the solution of the communal problem. The Congress undoubtedly stands for securing such just representation through the medium of joint electorates and joint action on the part of all communities. Undoubtedly, all patriotic and intelligent Hindus and Mahomedans recognise the value of joint electorates as great unifying factors in national upbuilding. They are also alive to disputing and disintegrating tendencies of separate electorates and are conscious of their being serious obstacles to the attainment of Self-Government. There is, therefore, a desire on their part to arrive at an honourable understanding in the matter which will be for the lasting benefit of their common motherland. It is true that in the attempt to effect a satisfactory settlement, some Moslems and Hindus advocate retention of separate electorates for some time longer, but they confess they do so merely with a view to help to obliterate all traces of mutual distrust which unfortunately mars the relations of the two communities at present. They concede that separate electorates are a necessary evil and are temporary expedients to tide over the difficulties of the present situation which is hoped to be a passing phase of our national struggle for freedom. This sentiment in itself is an ample vindication of the policy and principles of the Indian National Congress. The Congress is doing all it can to remove distrust and to bring the two communities together. The question is now engaging the serious attention of all right-thinking Hindus and Moslem leaders and no avenue likely to lead to a settlement will be left unexplored. The report of the Working Committee of the Congress will be presented very soon to the A. I. C. C.

I believe that Sir Sankaran Nair worded his resolution in the extreme form he did in order to draw pointed attention of the Council to the manifest danger of communalism and he could not have expected either community to accept his proposal to stop all further constitutional advance even in the contingency contemplated by him. The matter is essentially one for negotiation and settlement between the two communities. It is, therefore, impossible for Congressmen to agree to any commitments in anticipation of such a settlement. While we hold fast to our ideals of nationalism and have an abiding faith in their ultimate realisation, we recognise that there are no short cuts to that goal such as the one suggested in the resolution. That way lies un wisdom, for we shall play thereby into the hands of vested interests whose one aim is to delay progress and perpetuate their domination.

There is also another reason for our inability to support the resolution. Sir Sankaran Nair overlooked an important consideration in seeking to apply his deterrent remedy to the whole of India. In many provinces the Hindu-Moslem problem does not exist for all practical purposes. If simultaneous and uniform progress is not practicable or attainable in all provinces in India owing to communal disharmony in some provinces, that is no conceivable reason for denying further advance to provinces in which Hindus and Mahomedans are able to co-operate in putting their shoulders to the wheel of progress. Such provinces may perhaps serve as object lessons and demonstrate to other provinces the benefits of mutual trust and communal harmony as leading to speedier progress.

Mr. Suhrawardy's amendment which seeks to instal separate communal electorates as the basic and fundamental principle of the Indian constitution is undoubtedly a most retrograde proposal. I beg of the advocates of separate electorates, be they Hindus or Moslems—there are such advocates in both the communities—to pause and give a calm thought to the implications of their demand. If the aim of my Hon'ble friend who moved the amendment is to secure the return of strong Moslem representatives through separate electorates, is it not likely that Hindus who are in a majority in many provinces will also return aggressively communal Hindus to the elected bodies? How will this

process help the Moslem minorities to secure their rights? If representatives of both communities come through the same electorates, are there not more chances for larger manifestation of good feeling and co-operation among them? Again, my Hon'ble friend speaks of effective representation. May I know how a minority can ever be effectively represented even on a communal basis in a province like Madras where the Moslems form about 7 per cent of the population? If they are given 15 per cent of the elected seats, can they have effective representation? How can 15 Moslems enforce their views against 85 non-moslems? No minority can become effective unless it is converted into a majority or an equality. It is through the compelling forces of nationalism and patriotism that the good sense of the majority is developed not to override the rights of minorities. It is this conviction that led Indian, Christian and Parsi communities to favour all along joint electorates.

If, however, extraneous safeguards are desired for preventing majorities from treading upon the corns of minorities, then we shall have to resort to one or two expedients. We must either invest the executive with large residuary powers of interference to protect minorities or secure statutory safeguards by enacting suitable provisions in the fundamental laws of the constitution against infringement by majority communities of religious and social rights of minorities. My Moslem brethren will not stand to gain anything by vesting in the executive large residuary powers. If the executive Government functions as a responsible Government, it must necessarily yield to the popular will which is synonymous with the will of the Non-Moslem majority and will be impotent to protect the interests of Moslem minorities. If the executive on the other hand, continues to be irresponsible to the legislatures, neither the Moslems nor the Hindus will ever get self-government. The alternative which is the proper course, therefore, for all minorities is to ask for enacting safeguards in fundamental laws of the constitution. This was already recognised and expressly provided for in the National Demand in which representatives of all parties in the central legislature have joined. Let us not, therefore, commit political suicide by perpetuating communal electorates. Notwithstanding most extreme forms imaginable in which the honourable movers of the original resolution and the amendment clothed their respective proposals, I trust that this debate will not add to the existing tension but will on the other hand, serve as an opportunity for frank and free discussion of a vital problem with a view to its satisfactory solution. I hope at all events that it will bring home to the minds of the people the truth that if India is privileged to have even a distant vision of the promised land, it should see with both its eyes, and if India is to breathe the air of freedom eventually it should also do so with both its lungs, the Hindu and Moslem communities.

#### Sir Sankaran Nair's Reply to the Debate.

Mr. G. S. Khaparde having reserved his amendment limiting communal representation to the terms of the Lucknow pact, Sir Sankaran Nair replied to the debate. He said his idea of the word minority had been much misunderstood. Mahomedans in Bengal were not a minority community. Similarly Madras Non-Brahmins were in a majority and still all these claimed communal representation. Was it being contested, asked Sir Sankaran Nair, that even if there should be only five persons of a particular community in any one province; as for instance Sikhs in Madras, they should have a separate electorate? Continuing he instanced the case of Europeans who, though returned to the Council in small numbers, stated their case well and briefly and trusted to the common sense of the house. If the decision was perverse, they looked to the executive Government to override the council's decision in their favour. That ought to be, in his opinion, the attitude of the minority communities.

#### Resolution Withdrawn.

All amendments having been lost without division, Sir Sankaran Nair withdrew the resolution.

#### Constitution of Advisory Committee.

Mr. Ramdas Pantulu then moved for modification of rules relating to

constitution of departmental advisory committees to provide for election of all of their members instead of electing panels from which members were selected at present. The mover said that self-respect demanded that all members for these committees should be elected.

The resolution was rejected, the mover not challenging a division.

#### Presidentship of the Council.

On the 21ST MARCH Sir Sankaran Nair moved his resolution favouring the amendment of the Government of India Act so as to provide for the Governor-General being the President of the Council and said he desired to restore the old practice obtaining in the Imperial Legislative Council. The President, he said, ought to be impartial and a paid permanent Government Officer could not be above suspicion in the present transition stage. Moreover, it was not a civilian that should preside over the destinies of the House, but one who was nurtured in traditions of democracy. He thought a parliamentarian was better likely than a civilian to relay and favourably interpret the rules and regulations. From his own experience in the past, he would say the Viceroy as President of the House was a living reality.

Continuing, Sir Sankaran Nair said that, when the Viceroy could not find time, a member of the Executive Council could preside.

#### Mr. Desikachari's Amendment.

Mr. P. C. Desikachari moved an amendment providing for the appointment of an elected non-official member as President of the House. The object of the Government of India Act being to vest more power in elected representatives of the people, it was but fair that they should be given opportunities of guiding the proceedings of the House.

The amendment was lost without a division.

#### Mr. Ramadas's Amendment.

Mr. Ramadas Pantulu moved another amendment for the election of the President by the Council of State from among the elected members subject to the Governor-General's approval. He declared that bicameral system of legislature in the Central Government in India had come to stay and the reform would certainly go to improve the upper chamber. If the Assembly was entrusted with the task of electing its own President, there was nothing against this House being entrusted with the same right.

The amendment, on being put to division, was rejected by 32 votes against 10.

Mr. Pantulu, speaking on Sir Sankaran's resolution, opposed the appointment of the Governor-General to the Presidentship of the Council of State. He said it would be undesirable for the Governor-General to preside over the House not only on account of the personal difficulties of His Excellency but also because it tended to go against the progressive nature of the constitution.

Sir Sankaran Nair, replying, said that if an executive official should preside over the deliberations of the House, it was much better to have the Viceroy for the purpose. The motion was rejected.

#### Warrant of Precedence.

Lala Ramsarandas then moved a resolution favouring steps to secure assignment of a suitable place in the Warrant of Precedence to Members of the Council of State, Assembly and Provincial Councils. Sir Umar Hayat Khan and Major Akbar Khan supported the motion, the latter with some reservation.

Sir Arthur Froom moved an amendment restricting the scope of the motion only to members of the Council of State. Mr. Chari supported the amendment which was accepted by Lala Ramsarandas. The motion as amended was agreed to.

#### Debate on Currency Bill.

On the 24TH MARCH the Currency bill was taken up for consideration in the Council on the motion of Mr. Brayne.

Mr. Brayne said that the amendments made in another place did not affect the main principles of the bill, which had been widely discussed. Adjustment in prices had taken place more on the side of 1s. 6d. ratio than on the

side of 1s. 4d. The charge that the Government had effected manipulation in order to maintain exchange at 1s. 6d. was unfair and unfounded. If 1s. 6d. ratio was adopted, then it would mean definite remission of provincial contributions. Otherwise, there would be additional taxation or no remission. Reversion to 1s. 4d. ratio combined with reduction of salt duty would mean deficit of about Rs. 5 crores in 1927-28, and larger deficits in future years. The effect of this action on the credit of India and on her powers to borrow would be appalling. He, therefore, asked the House to look at one picture which was one of continuing and abiding prosperity and another which was one of gloom and disappointment.

Sir Maneckjee Dadabhoi, Member of the Currency Commission, was the first to speak on the motion. He warmly protested against the attacks made by irresponsible members in the Assembly on the members of the Commission who were not there to defend themselves. As for himself, he did not resent the accusations. But it was his duty to defend Sir Henry Strakoch who had been described as having muddled the currency in South Africa and also muddled the currency in India. It was regrettable that Sir Purushottamdas Thakurdas, himself a member, had not the gallantry enough to protest against this charge, especially when Sir Purushottamdas had, in his own speech, showered encomiums on both the Right Hon'ble Hilton Young and Sir Henry Strakoch. His attitude was of great significance at the same time. He repudiated Sir Purushottamdas's charge that 1s. 6d. ratio was a broad day loot. This charge meant that the Commission had made up its mind for 1s. 6d. which was not the case. If any one on the Commission had made up his mind on the ratio, it was Sir Purushottamdas Thakurdas whom the Government should not have selected for that reason. For had not that member made himself responsible for the two bills asking the Government to fix the ratio at 1s. 4d.? The selection of Sir Purushottamdas was not fair to the Government or to Sir Purushottamdas himself.

#### Amendment to Ratio Clause.

On Sir Arthur Froom's suggestion the question was put and the bill was taken into consideration.

Seth Govindas, moving his amendment favouring 1s. 4d. averred that India was not bound down by the Commission's recommendations, for the Commission itself was prejudiced in favour of foreign capitalists and the Government officials. As agriculturist and businessman himself, he claimed to know the real interests of the agricultural population. He did not subscribe to the proposition that the ratio was less important than gold standard or gold currency. He contended that prices had by no means come down as alleged. The Indian agriculturists consumed only 7 per cent of the imports. They would certainly lose by 1s. 6d. ratio. The Government's action was like robbing Indian Peter to pay English Paul and that Sir Basil was like Nero fiddling when Rome was burning. Was the Council going to vote for a ratio which would result in the shutting down of mills and other industrial concerns and result in lock-outs and labour disturbances?

The Council divided on Seth Govindas's amendment for 1s. 4d. ratio and rejected it by 31 against 10 votes. The House then adjourned.

On the 25TH MARCH the Council re-assembled to discuss the amendments in respect of clauses other than clause four of the Currency Bill.

Seth Govindas and Mr. P. C. Desikachari respectively moved their amendments recommending the institution of an independent gold mohur in India. Seth Govindas averred that the policy adopted since 1800 was inculcating more suspicions in popular mind that the Government instead of giving India a gold currency and gold coin according to her desire were taking away all available gold to England when India wanted gold. She was forced to a token currency which she did not like.

Mr. Desikachari made a passionate appeal in support of his amendment for minting of gold mohurs. He challenged any member to deny that there was a demand for gold coins.

Both the amendments of Seth Govindas and Mr. Desikachari were defeated by 27 against 30 votes.



Lala Ramaswaradas' amendment opposing demonetisation of sovereign was ruled out of order and Mr. K. S. Roy Chowdhury unsuccessfully moved two amendments on purchase of gold at Currency Office.

All clauses of the Bill having been passed, Mr. Brayne moved the third reading of the Bill.

The Bill was passed without division, Swarajists and few others crying "No."

#### Gold Standard and Reserve Bank Bills.

On the motion of Mr. Brayne, the Council agreed to the Assembly's recommendation to refer the gold standard and Reserve Bank and Imperial Bank Bills to a joint Committee of both the Houses consisting of 28 members.

#### Finance Bill Passed.

On the 26TH MARCH the Finance Bill which was passed by the Assembly was discussed in the Council.

Mr. Brayne pointed out that the Assembly's reduction of salt duty to As. 10 meant a little over 3 crores of loss in the revenue and corresponding effects on the Government programme of remission of provincial contributions.

Sir Omar Hayat Khan moving the restoration of the salt tax to Rs. 1/4 characterised the agitation for the reduction of the duty as a bogus war cry and also criticised the late Mr. Gokhale in this connection.

The House divided and carried Sir Omar Hayat Khan's amendment by 28 against 9.

#### Reduction of Postal Rates.

Seth Covindas then moved his amendment for the reduction of postal rates making post cards available at quarter of an anna. He said the loss would be only 86 lakhs and hoped the Government would manage to face the loss of this small sum.

The amendment was rejected by 26 against 14 votes.

#### Amendment on Super-Tax.

Lala Ramsarandas moved an amendment to the super-tax schedule of the Finance Bill reducing the company super-tax to one anna per rupee in excess of the total of Rs. 50,000 of the total income and seeking to absolve the joint-Hindu family income of the first Rs. 25,000 over the excess. The amendment dealt with all forms of super-tax. The mover said that monied people rendered loyal service to the Government during war time. Appealing to the Finance Member to agree to the amendment he urged that the income ought to be determined by actual amount of savings.

The amendment was rejected without a division.

Clause of the Finance Bill having been separately passed, Mr. Brayne moved that the Bill as amended be passed.

After the Finance Member's reply the Finance Bill was passed without division. The only change made to the Bill was that the Salt Tax was restored to Rs. 1/4 mownd. The House then adjourned to the 29th March when after transactions of purely formal business, the Council adjourned "Sine die"

# The Legislative Assembly.

## Budget Cuts in 1925-26.

On the 3RD FEBRUARY 1927 the following statement was laid on the table of the Assembly by Sir Basil Blackett, in reply to Mr. Doraiswami Iyengar's enquiry regarding the action taken by the Government on the token of censure cuts made in budget demands by the Assembly during the years 1924, 1925 and 1926. The statement runs: In the budget for 1924-25 there was only one token cut, that of Rs. 100 under the demand for forest. The points brought up in the discussion related to: (a) the delay in the decision about the training of Indian Forest Service probationers at the Forest Research Institute and College, Dehra Dun and (b) the rate of Indianisation in the Indian Forest Service. The training of Indian Forest Service probationer commenced at the Forest College, Dehra Dun from November 1926. As regards Indianisation, out of 19 vacancies filled by direct recruitment during 1925 and 1927, 9 were filled by Indians, 2 by Birmans and 7 by Europeans, while of the 7 vacancies which are anticipated in 1927 and 1928 henceforward recruitment of Indians and Europeans will be in proportion of 75 to 25.

In the budget for 1925-26 there were token cuts of Rs. 100 each under the demands for (a) taxes on income; (b) salt and (c) opium. As regards (a) the question of amending devolution rule 15 was discussed at the conference of financial representatives in November last in the light of recommendations of the Taxation Committee. It is now under the consideration of the Government. As regards the cut under (b) the question of making India self-supporting in the matter of salt raised by Mr. Venkatapathiraju in moving the token cut has been under consideration but no final decision has yet been reached. As regards the cut under (c) reference is invited to the press communique dated 13th June 1926 announcing gradual abolition of the export trade in opium in the course of ten years as well as to the resolution of the Finance Department (Central Revenues) dated 17th June regarding the consumption of opium in India. The internal policy of the Government of India in regard to opium has not undergone any modification. The resolution quoted simply reaffirmed the policy previously in existence. Their external policy had been under consideration independently for some time and the decision mentioned was a direct consequence of their international obligations.

On the railway budget, there had been the following token cuts:—(1) One of Rs. 1,000 on a motion by Mr. Joshi in 1926-27, to call attention to the necessity of reducing third class railway fares. The Government have actually effected reductions on many railways. (2) One of Rs. 100 on a motion by Sardar V. N. Mutalik in 1925-26 and one of Rs. 100 in the same year on a motion by Mr. M. K. Acharya and one of Rs. 1,000 by Mr. Joshi in 1925-26 and one of Rs. 100 on a similar motion by Mr. Gharnafar Ali Khan's amendment, Mr. Gaya Prasad Singh and Mr. Schamnad Sahib Bahadur in 1926-27 to draw attention to Indianisation either of the Railway Board or the railway services. The Government have accepted and so have railway companies the recommendations of the Lee Commission in this respect. (3) One of Rs. 1,000 in 1926-27 on a motion by Mr. M. K. Acharya to draw attention to alleged failure to redress the grievances of railway subordinate employees. The grievances alleged are not admitted and no special action has been taken.

**Bills Certified in 1924-26.**

On the 15TH FEBRUARY in the Assembly Mr. Graham replying to the question of Diwan Chamanlal regarding the number of Bills certified by the Governor-General during 1924-26, said: These are two, namely, the Indian Finance Act 1924 and the Bengal Criminal Law Amendment Supplementary Act 1925. The Indian Finance Act 1924 was presented to the Parliament on 19th May 1924, two months after certification of the date of presentation. The Bengal Criminal Law Amendment (Supplementary) Act 1925 was not communicated to the Government of India but presentation presumably took place after approximately the same interval from certification as in the case of the Finance Act 1924. Certification took place in the case of the Indian Finance Act on 19th March 1924 and in the case of the Bengal Criminal Law Amendment (Supplementary) Act 1925 on 24th March 1925. As the Governor-General made the direction referred to in proviso to sub-section (2) of section 67-B, in case of both these acts, the assent of His Majesty was not required. The various sections of the Indian Finance Act 1924 became operative on the date appointed in each section. The Bengal Criminal Law Amendment (Supplementary) Act 1925 became operative on the date of the Governor-General's direction under proviso to sub-section (2) of section 67-B of the Government of India Act, namely 30th March 1925.

Mr. Rangaswami Iyengar: Has there been any bill which has been reserved for the assent of His Majesty before becoming law?

Mr. Graham: Princes Protection Act only.

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# The Legislative Assembly

OPENING DAY—19TH JANUARY 1927.

The Third Legislative Assembly under the reformed constitution met at eleven in the morning on the 19th January in the Council House, New Delhi. It was a fairly full house with over 100 members attending. Mr. Ratnaswami, ex-President of the Madras Legislative Council, was in the chair. The business on this day was confined to only swearing in of members.

After the oath-taking ceremony was over, the Assembly agreed on the motion of Sir Basil Blackett to elect members not exceeding fourteen to the Standing Finance Committee and on a similar motion by Sir Charles Innes to elect members not exceeding eleven to the Standing Finance Committee for railways. Finally, the House agreed to elect eight members for the Public Accounts Committee.

Next day, the 20TH JANUARY, the House re-assembled to elect Mr. Patel to the chair. There was a cheerful atmosphere about the House as all sections were unanimous in favour of Mr. Patel's election. After congratulatory speeches from both the official and non-official benches His Excellency the Viceroy's approval was announced. Mr. Patel then took the chair amidst acclamation from all sides of the House.

## Mr. S. C. Mitra's Detention Denounced.

On the 21ST JANUARY the House met in an atmosphere of some excitement when the motion of adjournment of Pandit Motilal to raise the question of Mr. S. C. Mitra, a detainee, was discussed. This was held in order by the President and as no objection was taken, leave was granted and discussion took place immediately after the conclusion of the normal business of the House.

Pandit Motilal Nehru, in moving the adjournment of the House, said the motion did not relate to the larger question of release of political prisoners or the repeal or the amendment of the so-called law under which they were detained, but it related only to the detention of an elected member of the House constituting a very serious encroachment on the privileges of the House and the rights not only of the member but of the constituency which unanimously elected him. In explaining the facts of the case, the Pandit remarked that in arresting and detaining Mr. Mitra under the Ordinance, the executive was guilty of a double wrong, a wrong to the member and a wrong to his constituency. The latter wrong was attempted by the Governor of Bengal to be redressed in a bureaucratic manner by issuing a notification that a particular seat in the Bengal Council had become vacant. The constituency re-elected Mr. Mitra but the Government did not allow him to attend to his duties. In course of time when the general election came, Mr. Mitra stood for the Assembly and he was returned unopposed. He received summons from the Governor-General to attend the

Assembly and hear his inaugural address on the 24th. Thereupon he applied to his custodians to give him the opportunity of accepting the very generous invitation extended to him. But that was refused. So the Viceroy had duly invited Mr. Mitra but there were others who prevented him from coming here. Of course, Pandit Motilal anticipated the Home Member would stand up and show his fist (Sir Alexander Muddiman: Nothing of the kind) and say that Mr. Mitra was detained under the existing law of the land and by competent authority. But Mr. Mitra, argued Pandit Motilal, had not been tried, convicted and sentenced by any court and therefore he has every right to attend to his duties as a member of this House. By preventing Mr. Mitra from coming here, the Government were imposing a disqualification which did not exist under the law. If a similar case had arisen in England, then what would have happened? Pandit Motilal showed by quoting authorities that no member of Parliament could be imprisoned or restrained except for a criminal offence. A member could not be arrested for a period of forty days before or after the meeting of the Parliament and any member who was in custody at the time of election was liberated in virtue of his privilege unless he was undergoing imprisonment for an indictable offence. That was the common law in England and for any breach of privilege conferred on members of Parliament, the persons who were instrumental for the commission of the breach would be answerable. So if what happened in the case of Mr. Mitra had happened in England, the Governor of Bengal would have found himself in a very uncomfortable position at the Bar of the House of Commons. But India was not England and this Assembly was not the Parliament. The Pandit believed that there was no analogy between the House of Commons and the Assembly. But if it had even the pretence of what it was alleged to be, then he maintained that it was the inherent right of every member of a representative institution to be present at its meetings and to represent his constituency. That right was inseparable from the nature of the institution. True, the privileges of the House of Commons had been built up by long conventions.

As regards the privileges of the House there could be either long established conventions or certain privileges sanctioned by statute and it was up to this Assembly to lay the foundation to-day that it was the inherent right of every institution that its members should be protected. In the present instance, the right was fully recognised because the summons of the Governor-General were sent to him. Under section 11 of the Act under which Mr. Mitra was in detention, it was clear that he was not treated as a criminal. That being so it was not a case of criminal character. The Viceroy, in opening the Council House, had read the King's message which expressed the hope that this House would prove to be one in which wisdom and justice might find a dwelling place. Pandit Motilal put it to the Treasury benches and non-official European colleagues whether they would declare to the world the impotence of protecting themselves and the honour of this House. The best judges were the electorates who had already given the verdict. This House should not neglect its primary duty and trample under foot that verdict which was the very foundation of their right to be here.

Sir Alexander MUDDIMAN congratulated Pandit Motilal for the manner in which he had dealt with the case and instead of showing him fight, he would cordially meet his argument as the Pandit got eminently reasonable on points of constitutional law however defective in other matters.

The Pandit had done a great service by raising this question. If there was a privilege, then only the question of breach would arise. The matter was examined by a sub-committee of the Muddiman Committee consisting of Sir T. B. Sapru, Sir Mahomed Shafi, Sir Henry Moncrief-Smith and Mr. Jinnah and they laid down to what extent privileges existed. There was no doubt that the privilege claimed by Pandit Motilal did not exist. He went further and said that although there was no analogy between the Assembly and the House of Commons (Congress benches : Hear, hear), even if such a case had arisen in the House of Commons it would not have caused a breach of the privileges of the Commons as the question of the protection of person and property was of vital importance. He declared emphatically that if this House had the same privileges as the House of Commons, no breach of privileges would arise. As for the constituency of Mr. Mitra, there might have been some force in the argument if it had been the question of detention of a member after election. The constituency of Mr. Mitra was given a chance by the Bengal Government to elect another representative ; but by re-electing him, his constituency sacrificed their interests for the sake of their sentiments.

#### Motion Carried.

After a few more speeches, the division bell was rung and the adjournment motion censuring the Government was carried by 64 against 46. The announcement was greeted with applause by the non-official benches. The House then adjourned.

#### Viceroy's Inaugural Address.

The next meeting of the Assembly was held on the 24TH JANUARY when H. E. the Viceroy's inaugural address in opening the Assembly was read. The speech of His Excellency, particularly the political portion of it, was listened to with a rapt attention. In the course of his speech referring to the situation in China His Excellency said :—

“As regards external affairs, there is only one matter to which it is necessary for me to refer. As Hon'ble members are aware, the situation in China has been the subject of grave anxiety. Attacks have recently been made on lives and property in the various treaty ports of the mercantile communities which include many Indians as well as British subjects. Certain settlements have already been evacuated under pressure and the property of the residents extensively plundered. Other and even more important areas are similarly threatened and His Majesty's Government have reluctantly decided that it is their duty to send reinforcements to China to protect the lives of those for whose safety they are responsible. Having regard to the fact that India is the nearest part of the Empire in which forces are available for immediate despatch, the Government of India have agreed to co-operate in this purely defensive action by contributing a contingent including Indian troops.

#### Abolition of Slavery.

“Public opinion throughout the world has lately witnessed the enlightened action that has been taken to bring to an end the condition of slavery previously existing in Nepal. The Hon'ble members will have welcomed more recent examples of the same humane movement provided by the action of the Khan of Kalat within his territory and by the measures taken only last month by the Government to stamp out slavery in some of the outlying territories situated close to the Burmese frontier. A few months ago, I had the opportunity of visiting another of India's frontiers on the north-west and of seeing for myself evidence of the improved conditions which there prevail.

“I trust that the policy which my Government has been pursuing for the last four years in Waziristan will continue to prove of benefit both to the independent tribes and to the adjacent parts of British India.

### Indian Deputation To South Africa

"When I addressed the Indian legislature on the 17th August last, I stated that the Union Government had agreed to hold a conference at Cape Town with representatives of the Government of India in the hope of reaching a satisfactory settlement on the Indian problem in South Africa. The Delegation appointed by my Government and generally accepted by Indian opinion as representative sailed for South Africa on the 24th November and on arrival, received a most cordial welcome from both the Government and the people of the Union. The Conference was opened by the Prime Minister of the Union on December 17th and closed on January 18th. As Hon. Members have seen from telegrams that have appeared in the press, a provisional agreement has been arrived at between the delegations of the Indian and the Union Governments which will require ratification by the respective Government. Hon. Members will share the satisfaction of my Government that Sir Mahomed Habibullah and his colleagues, again happily assisted by the devoted and unselfish labours of Mr Andrews, should have succeeded in reaching an understanding which as we may hope, will lead to a settlement of this longstanding problem. Those who recall the difficulty that this question presented a few months ago will feel that the new aspect which it has assumed reflects high credit on those who have represented the two countries in these discussions. Our delegation have already left South Africa and are due to arrive in Delhi on February 6th. Pending their return and the receipt of their report, I am not in a position to make any announcement regarding the provisional settlement that has been reached. It is intended to publish the result of the work of the Conference simultaneously in both countries and in regard to the date of such publication, we are bound to consult the wishes of the Union Government. My Government will not fail to give the Chamber of the Indian Legislature an opportunity of discussing the matter at the earliest possible opportunity.

### The Royal Indian Marine

"I now turn to the announcement made by my predecessor on the 9th February 1936 in the Council of State conveying the decision of His Majesty's Government to reconstitute the Royal Indian Marine as a combatant force, thus enabling India to enter upon the first stage of her naval development and ultimately to undertake her own naval defence. Lord Reading pointed out that much constructive work had to be done before the Royal Indian Navy could be inaugurated. I am glad to be able to say that considerable progress has already been recorded. The Bombay dockyard has been busily engaged in the equipment of the depot ship and only one sloop remain to be acquired in order to complete the initial strength in ships. Details of recruitment, organisation and finance have been worked out and the most important of the proposals of my Government under these heads are already in the hands of the Secretary of State. The necessary legislation in Parliament will be carried through, I hope, early this year. My Government will then be in a position to introduce legislation to provide for the discipline of the new force and when that legislation is passed, the Royal Indian Navy will come into existence.

### Sir S. Hoare's Arrival

"A recent event of outstanding interest has been the arrival in India of the Secretary of State for Air in the first of the great air liners sent out to this country by the Imperial Airways Company. In so far as India is concerned, this development of aviation marks the introduction into the country of a new form of civil transport. India is a country of vast distances, but aviation annihilates distance. As it has hitherto been reckoned, the increased speed of air transport, coupled with the facilities which it offers for surmounting geographical obstacles, will be a potent factor in shortening the communication of India with other countries and also in linking up her own wide-spread provinces, thus drawing them more closely together as members of a single nation.

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### Business Before The House

"As the House knows, there are several financial and commercial matters with which we are at present concerned. After a series of balanced budgets, the Government of India may justly claim to have reached a strong financial position with their credit firmly established both within and outside India. While securing this result for which India owes a real debt of gratitude to the Hon. the Finance Member, Sir Basil Blackett, the Government have been able to abolish the cotton excise duty, to reduce the salt tax and to extinguish a considerable proportion of the provincial contributions. During the present session in addition to the annual Finance Bill, legislative measures will be laid before you to give effect to the principal recommendations of the Currency Commission. A Bill will also be placed before you based on the recommendations of the Tariff Board as



regards protection to the steel industry. The declared object of our protective policy is that ultimately the protected industries should be able to stand alone and face world competition unaided and it is by this criterion that the success or failure of the policy will be judged. The remarkable progress made at Jamshedpur since 1904 affords reasonable grounds for the hope that before many years have passed, steel will be made as cheaply in India as in any country in the world and that the need for protection will disappear. But it is necessary, if capital is to be attracted to the industry, that manufacturers should be assured for a reasonably long period of the continuance of the basic duties applicable to imports from all countries. The Board, however, are, I think, right in forecasting that after seven years the time will have come to review the position afresh and ascertain in the light of the circumstances then existing whether or not the industry deserves protection. The Textile Enquiry Committee is, I understand, about to submit its report and my Government will seek to arrive at a prompt decision on the issues involved.

#### The Duty of the Governor-General

"I turn now to topics of a more general character which must necessarily occupy a prominent place in all our thoughts. This Assembly is of particular importance inasmuch as within its life-time must be undertaken the statutory enquiry prescribed by the Government of India Act. This fact is my excuse, if such be needed, for speaking frankly on some aspects of the general situation. But, before doing so, I desire to make my own position and that of any Governor-General plain. As long as the final control of Indian policy is constitutionally vested in the Secretary of State on behalf of Parliament, it is the duty of the Governor-General, while he holds his office, to guide his conduct in conformity with the general policy approved by the Imperial Government. Just as in Parliament, however, Indian affairs are with foreign policy rightly held to be outside ordinary party controversies, so a Governor-General as such has no concern with British party politics. It is his duty with his Government to seek faithfully to represent to the Imperial Government what he conceives to be Indian's interests and he must count on the help of the legislature to enable him to do this fairly. On the other hand, it is possible that he may be able to help India by telling those who represent her in her Councils from his own knowledge of the manner in which and the angle from which the judgment of Parliament is likely to be formed. I do not ignore the fact that there is a current of opinion in India which reject the right of Parliament to be the arbiter of the fashion or the time of India's political development. I can understand that opinion. I can acknowledge the sincerity of some of those who hold it; but I can derive no means of reconciling such a position with the undoubted facts of the situation. But there is another section of opinion which, while hesitating to prefer so fundamental an objection to any right of Parliament to be the judge of these matters, would yet say in effect, that it was indefensible for Parliament to exercise its judgment in any case but that of granting to India forthwith a wide, if not a complete, extension of responsible power. Distinction between these two lines of criticism is narrow, for Parliament would be no real judge if its title were held to depend for sanction upon the judgment that it delivers and it is scarcely possible to impugn its right to deliver a free verdict without challenging its title to sit in judgment on the case. I have not infrequently been told that the problem is psychological and that many, if not mostly, of our present difficulties in regard to the pace and manner of advances would disappear if it was once possible to convince India that the British people were sincere in their professed intention of giving India responsible Government. It is difficult to know in what way one may hope to carry conviction to quarters which remain unconvinced. I have already stated my belief that whether what the British people has sought and is seeking to do in India will be approved or condemned by history, their own inherited qualities left them no alternative but to open to India the path in which they had themselves been pioneers and along which they have led and are leading the peoples wherever the British flag is flown. Moreover, in the success of the attempt to lead a friendly India towards self-government, the self-interest and the credit of Great Britain before the world are alike engaged and forbids her to contemplate with equanimity the failure to achieve a purpose which has been so publicly proclaimed. Every British party in a succession of Parliaments elected on the widest franchise and, therefore, representing, in the widest possible manner, the British people, has pledged itself to the terms of the 1907 declaration. They have implemented those terms by legislation and thus given practical proof of sincerity by introducing wide far-reaching changes into the structure of the Indian Government. From those undertakings, no British party can or will withdraw and although the British race may lack many excellent qualities, they cannot afford to remain unmoved by charges of bad faith which their whole history denies.

### Detention of Prisoners without Trial

"But it is said the alleged sincerity of Parliament receives practical contradiction, on the one hand, by arbitrary executive acts such as the detention of certain men without trial in Bengal, on the other, by the reluctance of Parliament to give a firm time-table for the completion of its loudly professed purpose of making India herself responsible within the Empire for her own Govt. The first question concerns the exercise of that executive responsibility which must rest upon any administration, however constituted, and though I am well aware of its political reactions, it is a question which must be dealt with on its merits and has no direct relation with the general question of constitutional advance. For constitutional forms may vary widely, but the maintenance of law and order is the inalienable duty of all those on whom falls the task of Government and, indeed, the action of which complaint is made is solely due to the fact that the Government has had good reason to believe that those now detained have rejected the way of constitutional agitation for that of violent conspiracy and that to put a term to their dangerous activities was essential. I share with all honourable members the desire to see an end to the necessity for the continuance of these measures, but the guiding principle in this matter must and can only be the interest of the public safety. Nor is the matter one that rests wholly or mainly in the hands of the Government. Before release can be sanctioned, the Government must be satisfied either that the conspiracy has been so far suppressed that those set at liberty, even if they so desired, would be unable to revive it in a dangerous form or if the organisation for conspiracy still exists, that those released would no longer wish to employ their freedom to resume their dangerous activities. The Government have always made it clear and I repeat it to-day that their sole object in keeping any man under restraint is to prevent terrorist outrages and that they are prepared to release them the moment they are satisfied that their release would not defeat this object.

### Parliament will not be Coerced.

"The other main ground for challenging the sincerity of Parliament is based, as I have said, on the general method of approach that Parliament has adopted towards the problem of Indian constitutional development and, as regards this, I wish to speak more fully. Those who are anxious to see constitutional advance must either coerce Parliament or convince it. I cannot emphasise too strongly that in this matter they are not likely to succeed in coercing Parliament and that Parliament will resent any attempt to do so under whatever shape the attempt is made. Moreover, it must inevitably be gravely disquieted by language which appears to be inspired by hostility not only to legitimate British interests but also to the British connection. Nor is this feeling on the part of Parliament the mere selfish desire to retain power that is sometimes represented to be. Parliament believes, and in my judgment rightly, that as it has been placed by history in a position to guide and assist India, it would be definitely defaulting on these obligations if it reduced its charge before it was satisfied that it could be safely entrusted to other hands. Parliament therefore, will be rather inclined to examine the practical success or otherwise that has attended the attempt it has made to solve the problem. It will be quite ready to believe that there are features in the present line of arrangements which can be improved; and it will be ready to improve them. What it will not understand is the line of argument which says that, because the present foundations for future responsible Government are alleged to be at fault, this is necessarily to be remedied by immediately asking those foundations to bear the entire weight of the whole edifice we desire to build. When Parliament invites India to co-operate in the working of the reformed Constitution, it does not invite any Indian party, as it was authoritatively stated the other day, to lay aside for the time being its demand for Swaraj. It does not desire that any party or individual should forego the freest and fullest right of criticism and constitutional opposition to any action that the Government may take. But it does invite Indian political parties to show whether or not the ultimate structure which Parliament is seeking to erect is one suitable to Indian conditions and Indian needs. If it sees any large section of Indian opinion, however vocal in its desire to further the cause of Indian self-Government, steadily adhering to the determination to do nothing but obstruct the machinery with which India has been entrusted, Parliament is more likely to see in this evidence that the application of western constitutional practice to India may be mistaken than proof of the wisdom of immediate surrender to India of all its own responsibility. It is, therefore, a matter of satisfaction that a considerable part of the political thought of India has not allowed itself to be dissuaded by criticism or opposition from endeavouring to work the new constitution with a constructive purpose. Those who so guide their action are, in my

Parliament, proving themselves the true friends of Indian constitutional development. Parliament is likely to judge these matters as a plain question of practical efficiency. It will be less interested in the exact legal and constitutional rights granted by the reforms to the Indian legislatures than in the extent to which these legislatures have realised their responsibilities and duties. It will be quite willing to recognise and make allowance for the limitations placed upon legislatures by the existing constitution. But it will be genuinely puzzled and disappointed if it finds that a good part of ten years has been wasted in a refusal to play the game because some of the players did not like the rules. Propaganda in favour of altering the rules in the early stages of the game will have little effect on the mind of Parliament. But, on the other hand, it will certainly be influenced if it finds the Indian legislatures exercising their responsibilities, albeit limited, in a spirit of service to India and tacitly assuming always that their real responsibility is greater than that which is expressed in any statute, for Parliament has spent hundred of years in perfecting its own constitution, and knows very well that it has only grown into what it is to-day by the steady use and extension of the power, at first limited but by custom and precedent constantly expanding. There was a time in Canada when the religious differences between Protestants and Roman Catholics were supposed to constitute an absolute bar to full self-Government; but, after a few years owing to the good sense of the Canadian legislature, the very real powers of the British Parliament to intervene were silently allowed first to fall into desuetude and then to disappear. Parliament knows too that it is by this means that everyone of the Dominions has obtained full responsible self-Government, finally leading, as we have seen at the last Imperial Conference, to a wide revision of the letter of constitutional relations previously prevailing between the several Governments of the Empire.

#### An Appeal for Co-operation.

"That then is the position if we concede, as I ask we may, to British and Indian peoples' sincerity of purpose. We are in agreement on the fundamental matter of the end we desire to reach. There may be and is disagreement over the ways and means of reaching it: but it is surely a strange distortion of perspective, if we allow our conduct to be unduly influenced by differences on issues which are after all only incidental to the main issue on which we are agreed. Here, as in other human affairs evolutionary progress can be realised in two different ways between which we have constantly to make our choice. Either we can search out points of agreement in the final purpose which inspire thought and action, or rejecting these peaceful counsels, we can follow the way of conflict where agreement is forgotten, where disagreements are exaggerated and where the fair flowers of mutual understanding and trust are overgrown by tangled weeds of suspicion and resentment. In many directions and throughout many centuries, the world has made trial of the last and, in sore disappointment at the results, is coming painfully to learn that the way of friendship may be at once the more noble and the more powerful instrument of progress.

"I have thought it right to say so much, because I am deeply impressed with the gravity of the situation and with the necessity that lies upon us all of facing facts. I am conscious that much that I have said may evoke criticism and excite opposition, but I hope that I may have succeeded in saying it in words that will not wound the legitimate susceptibilities of any. If in this respect, I have anywhere gone astray and employed language which has falsified my hopes, I would here express my genuine regret. But, believing as I do that what I have said is true, I should think myself to have been lacking in my duty if I had been deterred from telling this Assembly frankly what I conceive to be the truth from the fear that it might sound unpleasant upon their ears. It were better to be blamed for saying unpleasant things if they are true in time than to be condemned for saying them too late. I think it is essential that India should clearly appreciate some of the factors which will be powerful to influence the mind of Parliament. I have sought, so far as my own experience and knowledge on these matters is of any worth, to place India in possession of them and I earnestly hope that, in the time which will elapse before the statutory enquiry, events may follow such as come as may convince both India and Great Britain that it is possible for them harmoniously to work together for the consummation of their common hopes."

Next day, the 25TH JANUARY, on the House re-assembling, Mr. Srinivasa Iyengar moved an adjournment motion to raise the question of the Government of India sending troops to China. This was at first ruled by the President in order, but before adjourning the sitting for lunch, the President read the Governor-General's message disallowing the motion on

the ground that it could not be moved without detriment to public interests. The President added that as a result of disallowance by the Governor-General no discussion on the motion would take place.

#### Introduction of Official Bills.

Sir Basil Blackett introduced two Bills, one amending the Negotiable Instruments Act to provide that negotiable instruments including cheques and Bills of exchange which are expressed on the face of them as drawn to bearer shall not in any circumstances lose their character as bearer instruments on account of their having been endorsed; the second amending the Securities Act to limit the liability of Government in respect of discharged loans and prevent recourse to the Indian Succession Act 1925 to evade the safeguards attached by the Securities Act to the issue of duplicate notes.

The Home Member next introduced three Bills, one amending section 115 of the Civil Procedure Code giving effect to the recommendations of the Civil Justice Committee's report on the subject with some modifications and the second amending the Limitation Act on the lines of the Bill which was passed by the Council of State and was before the 1st session of the last Assembly. The Bill as now introduced narrows certain objections raised in the last Assembly. The third Bill is for amending the Registration Act removing doubts created by the Privy Council with reference to contracts for sale of land where earnest money is paid.

Sir Basil Blackett then introduced his three Currency Bills.

Sir Charles James then moved the two Steel Bills which were allowed to be introduced.

#### Discussion on Reserve Bank Bill.

Sir Basil BLACKETT was cheered as he rose to move the circulation of the Bill to establish a gold currency and to constitute a reserve bank. This Bill he said gave effect to a comprehensive scheme of currency proposed by the Hilton-Young Commission and it was right that it should be placed before the public for criticism. The preparation of the Bill was difficult and he paid a tribute to the Finance Department, Mr. Darling, Controller of Currency and Mr. Wright of the Legislative Department.

The Finance Member also announced that after consultation with various quarters of the House, the Government had decided that effective discussion of the Exchange Ratio Bill should not take place till the budget was presented. He hoped that the currency controversy would be over and would not cloud their vision when the Bill he was proposing to circulate came up for discussion. The Bill was comprehensive and put proposals for a gold bullion standard and a reserve bank together as the two were mutually inter-dependent.

Sir Basil Blackett then explained the currency proposals. He emphasised that the silver rupee would now become the unit of account and gold the standard of value. India to-day was taking a material step forward. India was going further and adopting a gold bullion standard which measured the inter-convertibility of a legal tender and gold. In fact, India would stand exactly where the United Kingdom stood under its Gold Standard Act of 1925 subject to special arrangements in regard to the rates at which gold was to be given. He assured the House that India would be joining the ranks of the countries with an absolute gold standard. Those who wanted a gold currency must also support the Bill as it provided an indispensable stage for moving to that goal. It was impossible to tie their successors by fixing the

date on which gold currency would be introduced. Moreover, the fixing of the date would only retard the date rather than hasten it. He anticipated that in 10 to 15 years gold currency might be adopted. The very first difficulty now was the existence of the excess of a large coined silver. For a gold currency they would require sufficient gold assets; but to-day the potential gold assets in reserve were not enough. No less than 50 crores were locked up in silver rupees. In the paper Currency Reserve, 100 crores of silver rupees were in reserve. He held that their reserve was sufficient to maintain stability of exchange at the present *de facto* rate if they were willing to use their reserve. For the purpose of the gold bullion standard, they must strengthen the gold position of their reserve. They could not ignore the existence of a large surplus of rupees either in their reserve or in hoards, for when rupees came out of hoards they went into reserve leaving effective rupees in circulation very much the same.

As for the new notes, he emphasised that they must get rid of the obligation to get silver rupees which obligation caused the breakdown of the pre-war gold currency system during the war. Notes in India would, as in England, mean the equivalent of the face value with the rupees ensured by automatic provisions of the currency law and the working of the currency machinery and of the reserve bank.

Sir Basil Blackett finally touched on the broader aspect of the issue. He opined that not only his proposal would ensure a higher standard of life but also lead to the consolidation of national unity. He quoted the instance of the United States of America whose unit was efficiently brought into existence by the genius of Sir Alexander Hamilton devoting attention to the currency and banking system which led to the constitution of a Federal Reserve Bank. In fact I regard the Reserve Bank Bill as liberalism in finance that has ever been offered to India and it is a fitting measure to take the first step in this new Council House. It is in accordance with the spirit of the declaration of 1917 and will add enormously to the importance and influence of India's position in the financial councils of the world when the Reserve Bank of India takes its place side by side with other sister institutions of the world." Sir Basil Blackett, while admitting the difficulties and trials of floating a new institution, emphasised that there was no other option, for the Imperial Bank must be kept to continue the great commercial and banking services it was rendering to the country. He could not too strongly lay stress on the potential value of the two strong institutions functioning side by side, one by continuing with greater freedom to expand its business facilities and the other taking over all Government business in matters essentially of a banking character. The Secretary of State had agreed to promote parliamentary legislation to transfer his powers in London to the Reserve Bank in India. He anticipated that banks in India would come to treat the Reserve Bank as their friend and counsellor which would, by discount facilities, give the banks greater liquidity in respect of their assets than was available at present. In their proposals compensating the Imperial Bank, the Government had succeeded in doing even-handed justice all round, safeguarding the interests of the taxpayer ensuring that it did not damage other banks and at the same time discharging their responsibility to the Imperial Bank which they brought into existence and the extension of whose banking facilities was of deep

concern to the Government. He concluded: "This is the greatest measure of financial liberalism and as such I recommend it to the public."

Sir Purshottamdas THAKURDAS declared that Sir Basil Blackett had taken the opportunity of traversing even the ground not covered by the Bill. The speaker wanted a categorical answer to the question whether the Government accepted the unanimous recommendation of the Currency Commission that when India had an adequate gold reserve, the Assembly could, on demand, have a gold currency. The speaker had his apprehension in the matter of the introduction of a pure and unalloyed reserve bank in India of the type in Western countries. This was building from the top. Canada which had four thousand banking branches was still thinking of a Central Bank. The Finance Member had not told them of the number of banking branches in India. The Imperial Bank alone had branches running into three figures; it had 164 branches. The question really was what was to be done to develop banking in India and the starting of a Reserve bank would hardly meet the question. There were in India only 26 respectable banks of standing, out of which 21 were non-Indian banks and only five Indian banks. His support of a Reserve Bank was due to his anxiety to do whatever he could to take out the present control of Indian currency from the hands of Whitehall and transfer it to the Government of India, however imperfect and responsive at times the latter was (Congress benches: "unresponsive at all times"). He would rather wish that the Reserve Bank need not necessarily be different from the Imperial Bank of India. He did not want a pure and unalloyed Reserve Bank which the U. S. A. wanted with its 35,000 banking branches and which Canada did not have even with 4,000 branches and which might not, therefore, be at all suitable to India.

Finally, Sir Purshottamdas strongly protested against the Government's decision to defer consideration of the Exchange Ratio Bill till after the Budget. This strengthened the suspicion that the Government did not want the Bill to be discussed on its merits and that the Assembly would be deprived of discussing the Bill impartially. The Assembly should have been given an opportunity of discussing the Bill at the earliest opportunity. The Finance Member would now present the House again with a *fait accompli* by framing the budget on 1s. 6d. and declaring that it could not be changed to 1s. 4d. basis as the Finance Bill must be passed by the 31st March. Sir Purshottamdas warned that the longer the delay in the imperial consideration of the question the more would the Finance Member handicap those holding contrary views.

Mr. G. D. BIRLA thought the Bill was calculated neither to give a gold standard nor a gold currency to India. In order to have a gold currency India must have a gold standard. The difference between the selling and buying rates was eight annas in India, whereas in England it was half anna per tola. That itself would show that it was not possible to establish a gold standard as proposed in the Bill. Under the scheme proposed in the Bill India could not for even 40 years have a gold currency. As regards the postponement of the consideration of the ratio he welcomed it, if for no other reason than at least to see that an expert like Sir Basil Blackett did not commit mistakes which were committed by Sir Malcolm Hailey. Mr. Birla said there was no guarantee that the Reserve Bank would be dominated by particular groups of financiers. When the time came

they could consider how best to provide for proper representation and control of banking. He also urged that more banks should be entered in the schedule attached to the Bill.

Mr. Shanmukam CHETTI, Chief Whip of the Congress party, said his party had not been consulted by the Finance Member who had declared that the majority view in the House was that discussion on the ratio question might be postponed till after the budget. Regarding currency he emphasised that there must be a statutory obligation on the Government or the Reserve Bank to build up its gold resource within a certain fixed time in order to enable the introduction of a gold currency soon after that. Without such a provision, there would be no currency at all. He could not, therefore, understand how such a provision would retard the realisation of the object they had in view, namely the eventual establishment of a gold currency. Proceeding, Mr. Chettiar asked whether it was not a fact that during the last one year there had been a steady fall in the gold prices in the world. (Sir Basil denied it and quoted figures). Mr. Chetti quoted some other statistics and maintained his point of view. It was well-known that the Finance Member, ever since he came to India, had been singing that internal prices had been maintained and went on deflating the currency in order to keep up his pet theory and thereby dislocating prices. Concluding, Mr. Chetti emphasised the necessity of providing ample safeguards in regard to the position and location of the Reserve which he affirmed should not be in foreign countries; for that would only be exposing their reserve to serious risks in times of national crisis and reducing the already slender resources of India.

After several members had spoken the motion for circulation of the Bill was agreed to unanimously and the House then adjourned.

### Steel Protection Bill.

The Legislative Assembly re-assembled on the 26TH JANUARY with a brief agenda, chief among them being the discussion of the Steel Bill on the Commerce Member's motion for its reference to a select committee. This raised a lively debate on the principles of the Bill with particular reference to the proposals for imperial preference advocated by the Tariff Board and embodied in the Bill.

Sir Charles INNES moved reference of the Steel Bill to a Select Committee consisting of Sir Bhanupendranath Mitra, Mr. M. R. Jayakar, Lala Lajpat Rai, Mr. M. A. Jinnah, Maulvi Mahomed Yakub, Mr. G. Sarvethama Rao, Sir Walter Wilson, Mr. M. Ratnaswami, Mr. N. M. Joshi and Sir Charles Innes.

At the outset, the Commerce Member reviewed the history of protection granted to the industry during the last three years and said although there were certain disadvantages of the industry being in the hands of a single firm, there was this advantage, namely that the results achieved compared favourably with the price paid. The protection granted to the industry was not ungenerous but at the same time there was no small burden on the consumers. He did not wish to imply that the burden on the consumer had been unduly heavy and this fact was proved by the ease with which the burden was borne and as further testified by the increase in the consumption of steel. The increase represented thirty per cent during the last three years. Sir Charles Innes, after quoting figures to prove this increase, emphasised that the policy of protection was not unduly oppressive to the consumer.

But there was the other side of the case, that was the Steel Company. Are we getting the value for their money and was our policy becoming effective? Sir Charles Innes contended that the answer to these questions lay in the Tariff Board's report and the bill now before the House. The protection proposed was less than that which existed at present and that in itself was a very satisfactory feature. In this connection, it would be

portant to learn that the English works were undergoing a process of reconstruction and there were only two of the firms which made profits in England. Compared to this, the position of the Tatas in India was bright. Indeed, after the last three years, the Tatas had emerged a stronger, better and healthier company. Added to this, the Tatas were about to try the new and difficult duplex process which was an American invention and had not yet been introduced even in the United Kingdom. He could not say anything definitely regarding the finances of the Tata Company. It was a delicate matter, but he was not letting out any secret in mentioning that the Company was in very much stronger position to-day when compared to what it was in October 1924 and as a result of the Tariff Board's report, its position should be stronger still. On its technical side, great resources had been made, with the result that the works' cost had been reduced to somewhat near 100 rupees per ton and here the Commerce Member congratulated Mr. Alexander, the General Manager at Jamshedpur Works for the progress made in steel manufacture and said that the one thing which animated Mr. Alexander was his desire to make the steel company independent of extraneous help from Government and capable of meeting competition entirely unaided.

Based on all these figures and factors, the Tariff Board had given its considered opinion that their policy of discriminating protection had been justified and successful. The Assembly was not now discussing the question of principle or policy. This was approved in passing the Act of 1924 when they guaranteed protective rates only for three years. He agreed that the Assembly was quite entitled to go back upon the policy of its predecessor. Protection might be a good or bad thing, but the Assembly would agree that once having embarked on a policy of protection, it would do no good to display vacillation and it was better to let the policy of protection to continue as long as it was felt necessary in the interests of Indian produce.

Proceeding, Sir Charles Innes complimented the Tariff Board on its extremely able, businesslike report. It was an impartial report based on an impartial study of facts. The Board had made a careful estimate of the fair selling price and equally careful estimate of the prices at which steel was likely to sell in future. He was told that estimates of this kind were not of value, but he contented that they were an essential feature of the policy of protection. When the Steel Act was being discussed in the Assembly in 1924, nothing impressed him more than the fact that members insisted that whatever measure of protection was given must be with due regard to the well-being of the community as a whole and, indeed, it was due to this insistence that the preamble of the Bill was altered to that effect. Whatever was done must now be done after carefully adjusting the interests of the consumer and the producer. The House must not in any way be prepared to countenance on the part of any industry the claim that because protection was once given it should be given in the same form and to the same extent. Conditions varied according to the circumstances of the steel industry. The object of protection being that it must help the industry eventually to maintain itself without the help of protection, it was necessary to find to what period and in what form protection must be granted. The Tariff Board had recommended decrease in protection but recommended continuance of it for seven years. These were based on the Company's scheme of improvement and the consequent increase in output as also the future course of selling prices of foreign steel. The output of the Tatas was expected at the end of seven years to be 600,000 tons. Hence it was advisable to extend protection to seven years when it was hoped that the company would be able to dispense with protection and stand unaided. In arriving at this recommendations the Tariff Board had to take into account several factors including the economies in overhead charges and the increase in output as a result of extensions and improvement. Of course, they should not expect the consumer to pay for miscalculations of the Steel Company, but the Tariff Board's report would show that overhead charges would be reduced from Rs. 58 per ton to Rs. 39 per ton.

Proceeding the Commerce Member referred to import figures and pointed out that there were difficulties in estimating the average price at which steel was likely to be imported for over a period of seven years. The situation was complicated by certain factors like the imports from both the United Kingdom and the continent, the different quality and the gap in prices. The Tariff Board considered the prices at which British steel was likely to come. As regarded the former, there was no difficulty because the prices were stabilised at the prices of the first four months of 1926 whereas as regarded continental steel there were so many factors which were likely to come into play for instability. Therefore, the Tariff Board had observed that it would be unsafe to frame a scale of rates on the assumption that any level of prices which they might now adopt would continue without a substantial change throughout the period of protection.



Proceeding, the Commerce Member explained in great detail the system of differential rates suggested and the need for such a differentiation. While referring to galvanised sheets Sir Charles congratulated Bengal and particularly Mr. Neogy for having been able to see the duty on spelter taken off and the duty on galvanised sheets reduced from Rs. 45 to Rs. 30. British steel was more reliable in quality and accuracy of rolling strength. It was used when a high factor of safety was required by engineering firms for fabrication, but continental steel and inferior steel, by the very nature of its price, tended to displace British steel. Hence the problem. But the Tariff Board, after the examination of all possible factors had recommended the system of differential duties. It was difficult to discriminate between standard steel and non-standard steel and the Board had recommended a basic and an additional duty. British steel was particularly synonymous with standard steel and continental steel with non-standard steel. On account of India's position in the British Empire, they could discriminate in favour of British steel without infringing the most favoured nation's agreements. If on the other hand, the price of continental steel changed, the Government was given the right to alter according to the needs of protection. The problem was looked at by the Tariff Board from an economic point of view and from no other consideration. The only objection to the proposal was that it involved provision of machinery to ensure that consignments of British steel were covered by certificates that steel was actually made in the United Kingdom but it was not impossible to frame simple and satisfactory rules. The Government accepted the recommendations of the Tariff Board as a whole.

Concluding, the Commerce Member emphasised that he had no desire to rush the Bill, but the House should by agreeing to refer the motion to a Select Committee, accept the principle of further protection. The Government was quite prepared to discuss the details only in the Select Committee and he felt sure that the Assembly had seen that the scheme proposed by the Board was the best in the circumstances.

Mr. B. DAS said that the Tariff Board had, by proposing imperial preference, tried to kill the very goose (Assembly) that laid the golden egg (Tariff Board). He declared: "I will rather see the industry go down and down than agree to the humiliation of imperial preference. Not until we become equal members in this Empire will we agree to this policy in any form." He blamed exchange manipulation for the uncertainty of import prices of steel. He blamed the Railway Board for persisting in buying their steel requirements abroad.

Pandit MALAVIYA gratefully acknowledged Sir Charles Innes's share in giving protection. The Steel Bill introduced a very important principle of imperial preference. "Is the House prepared to accept this principle?" It was not suggested that continental steel was too bad. He accepted the plea that British steel was stronger; but why force the consumer to buy English steel instead of cheaper continental steel? The House would not accept the policy of preference and the Select Committee should be instructed to keep this in view in altering the Bill. The system of uniform duties supplemented by bounties was not entirely condemnable. The Select Committee should consider an alternative method of protection. It seemed to him that probably the postponement of consideration might be useful.

Pandit MOTILAL asked whether by voting for the motion they would be accepting the principle merely of continuance of protection or also of imperial preference and whether it would be open to the Select Committee to delete the clauses proposing preference for British goods.

Sir Charles Innes replied that the House would be accepting only the principle of need for further protection. (Hear, hear.)

Sir Purshottandas THAKURDAS said his only purpose to-day was as Director of the Tata Company to congratulate the Government for the scheme of continuing protection. The scheme started three years ago had not been a failure that it was apprehended it might be. He paid his tribute to Sir Charles Innes and said seven years hence, if need for protection did not exist and Sir Charles Innes was in the visitors' gallery of the House he would be the proudest man for having given India a basic industry. The Tariff Board had produced a splendid report which undertook scientific study and looked at the problem from a purely economic point of view. "I say, let us preserve this political aspect of questions to the Government of India and to this House and let not committees and boards give political bias to their studies". He was sure the Select Committee would meet the case put forward by Pandit Malaviya and others. He acknowledged that Sir Charles Innes did things in time in smart contrast to Sir Basil. But the Government was putting a trap before the House by not bringing measures in

the natural sequence. The Ratio Bill must come first, for if the ratio were altered to one and four, the Steel Bill would have again to be altered.

Mr. JOSHI objected to the protection of industries by raising a tariff wall; for it invariably threw the burden on the people who were not able to bear it. When import duties were imposed, it was difficult to discriminate as to which class could or could not bear it. Moreover, the protection of an industry by bounty was not helpful to the growth of that industry. All the basic and key industries should be controlled by the nation and if protection was necessary for steel, he would have it, in the form of bounty in the case of steel which was the basic industry. They should adopt a policy of seeing that the whole nation must control it. He knew that as at present constituted the Assembly would not support this view of his. (Hear, hear). He, therefore, suggested that the first condition of protection must be that it must be not only in the interests of those who put money in the industry, but also in the interests of human labour employed in it. It was necessary that there should be protection of human labour invested in the industry. The second condition he would impose was that in the case of protected industries, the limit of dividends to be given to the shareholders must be fixed. Thirdly, he suggested that the industry for the protection of which the nation was sacrificing should not be transferred to foreigners. Lastly, he urged rapid Indianisation of the industry.

Mr. JAYAKAR congratulated the Government on the wonderful despatch with which they had embodied the recommendations of the Board in this Bill and hoped that the Government would be equally prompt in the case of other important measures as well, as some uncharitable critics, more especially in Bombay, had said that the Government of India were in the habit of placing the Assembly on the horns of a dilemma. It had been said in regard to the currency question that there were two alternatives, either the 1s. 6d. ratio or a deficit budget. There were also uncharitable critics in Bombay who said that the Government were presenting this Bill in which they were asked to choose between supporting the key industry or accept the alternative of giving preference to British articles. Speaking as a politician, he emphasised that he would be the first person to give preference to British made articles; but he complained that in this Bill they were asked to give a very small price for a big concession of imperial preference introduced through the backdoor. Great Britain should pay an adequate price if it wanted this concession. He maintained that the danger of allowing continental goods into India had been exaggerated and that the Tariff Board had merely put in a case of special pleading in saying that there was danger to public safety in using continental steel for bridges etc. He wanted to know whether there was any embargo in England placed on the import of continental steel. He further wanted to know what guarantee there was in case British steel deteriorated in quality and if continental steel was sent to India through England.

Sir Charles INNES, in winding up the debate, expressed satisfaction that there was general support to the principle of the Bill. As for Mr. Jayakar's pertinent question, he (Sir Charles) had answers; but it was better to discuss them in the Select Committee rather than on the floor of this House. As far as the Government were concerned, the case was so strong that they would be only too willing to have it probed and explored. Mr. Jayakar had said there was imperial preference. Sir Charles Innes emphasised there was none. The facts concerning the steel problem were examined by a Board consisting of two eminent Indians and they had recommended that on purely economic grounds there should be differential rates and because the Government had accepted their report it should not be assumed that there was the introduction of imperial preference by the backdoor.

The motion for a Select Committee to which were also added the names of Mr. Lamp and Mr. G. D. Birla was carried without a division and the Committee was asked to submit its report by the 8th February. The House then adjourned.

### C. P. C. Amendment Bill.

The next two days viz. the 27th and 31st January were the days for official business in the Assembly. On the 27th, Sir Alexander Muddiman, in introducing the Bill further to amend the Code of Civil Procedure 1908, said that it was to give effect to the recommendations made in their report by the Civil Justice Committee for the amendment of parts two and order 21 of the first schedule to the Code of Civil Procedure 1908. The remaining recommendations of the Committee for the amendment

of that order are, it was pointed out, under separate consideration. Clause 16 (2) provides that when a judgment-debtor appeals against an order under that section where decree is for the payment of money only, he must give security for the decretal amount. The Committee's proposals for the restriction of first appeal from the orders under that section are being separately provided for as these cannot suitably be effected by an amendment of the Code. Clause ten extends but not with retrospective effect the scope of Section 66 to defendant opponent or objector who is not in possession of property purchased. Clause 14, section 145 is revised so as to give the Court power to realize property or interest comprised in security by execution in the suit or proceeding itself without a fresh suit. Power is, however, reserved to relegate creditor to a fresh suit as a precaution to meet cases of special complication. In clauses 16 and 18 (1) pleaders are required to sign a decree when they are satisfied that it is in conformity with a judgment and an appeal is based on the ground that a decree has been improperly drawn up is barred except by special leave. Unless an objection has been taken at proper time in this manner in the court passing a decree in clause 17, the new rule (a) prohibits the entertainment by the executing court of a plea advanced by a judgment-debtor that decree-holder had agreed that the decree should not be executed.

#### Income-Tax Amendment Bill.

Sir Basil Blackett then moved formally for reference to a Select Committee the Bill to amend the Income-tax Act 1922 which was introduced on the 25th Jan. After explaining the statement of objects and reasons, the Finance Member, alluding to Sir Victor Sassoon's motion for circulating the Bill to elicit public opinion, said although on almost every clause of the Bill the Board of Revenue had at one time or another discussed the proposals with the Chambers of the Commerce, yet in view of the fact that the Bill as a whole had not been circulated, he was prepared to agree to re-circulation. The House agreed to the circulation of the bill and then adjourned till

#### Limitation Act Amending Bill.

The 31ST JANUARY when Sir Alexander Muddiman introduced the Bill amending the Limitation Act of 1908. In doing so he said :—The Civil Justice Committee recommended that section 48 of the Code of Civil Procedure 1908 and article 182 of the first schedule to the Indian Limitation Act 1908 be amended so as to reduce the limit of time for execution in the case of money decrees from 12 to 6 years and to raise the period of limitation from 3 to 6 but to permit a decree-holder even after the expiry of six years to apply for execution if he can show that the judgment-debtor has come into some property or that he has recently discovered that the judgment debtor has property. If, however, it is decided to retain article 182 in its present form, the Committee recommend that it should be amended so as to provide that the period of three years should begin not from the date of the last application for execution but from the date of the last order on such a previous application. The first proposal is not considered to be satisfactory and the Bill gives effect to the alternative proposal.

#### Amendment of Merchant Shipping Act.

Mr. Bhore then moved for reference to the Select Committee the Bill amending the Merchant Shipping Act based on the promise of Sir Mahomed Habibullah to improve the lot of pilgrims.

The Bill was referred to a Select Committee consisting of Mr. Bhore, Mr. Fasal Rahimtullah, Raja Ghasnafar Ali Khan, Mr. Allison, Sir Walter Wilson, Sir Abdul Qayum, Mr. Haji, Mr. Jinnah, Mr. Yakub, Mr. Shaif, Mr. Ismail Khan, Mr. Natiq, Dr. Suhrawardy and Mr. Kasim.

#### Negotiable Instruments Act Amendment.

Sir Basil Blackett next moved the consideration of the Bill amending the Negotiable Instruments Act with a view to provide that bearer Instruments should not lose their bearer character on account of their having been endorsed. The Bill was, in Sir Basil's opinion, of considerable importance from the point of view of development of banking in India.

Sir Purushothamdas Thakurdas felt that in this matter the Government had acted on the views of the Associated Chambers and ignored those of the Indian Merchants Chamber. He could move for the appointment of a Select Committee provided they did not commit the House to acceptance of the principle beyond its application to certain instruments.

Sir Basil agreed with Sir Purushothamdas in respect of restriction regarding the principle underlying the Bill and Sir Purushothamdas's motion for Select Committee was agreed upon.

The following were appointed to the committee. The Finance Member, Dr. Macphail, Mr. Graham, Mr. Chetti, Mr. Aney, Mr. Fasal Rahimtullah, Mr. Anwarul Asim, Mr. Birla, Mr. Rangaswami Iyengar, Mr. Mehta, Mr. Pandya, Sir Walter Wilson, Mr. A. Iyengar, Pundit Motilal Nehru, Mr. Srinivas Iyengar, Mr. T. B. Roy, Mr. Kirkabhai Premchand, Mr. Nirmal Chunder Chunder, Mr. Harebandrai Vishindas and Sir Purushothamdas Thakurdas.

#### Amendment of the Securities Act.

Sir Basil Blackett, also moved for consideration of the Bill amending the Securities Act of 1920. In doing so, he explained the provisions in great detail and concluded by emphasising that the House was asked to revise the law so that it might restore to the tax-payer the same amount of protection as he enjoyed before the passage of the Indian Succession Act last year.

Mr. M. S. Aney pointed out that under the Bill if the demand for payment be not made within six years after the date of maturity, then not only interest but the principal sum would not be paid. Thus the liability of the Government which under the Securities Act stood so long as the security was not paid might be absolved. Moreover, under the Bill a succession certificate would be declared null and void. Mr. Aney's motion was accepted.

#### The Indian Limitation Act Amendment.

Sir Alexander Muddiman then moved that the Bill further to amend the Indian Limitation Act of 1908 be taken into consideration. The Bill is the result of certain recommendations of the Civil Justice Committee. The Committee had recommended: (1) that sub-section 1 of Section 20 should be amended so as to make payment of interest also subject to the condition that the fact of payment should appear in the hand-writing of the person making the same; (2) that a limited owner under the Hindu Law and manager of a joint Hindu family should be enabled to make acknowledgments and payments under Sections 19 and 20; (3) that article 133 should be amended so to make it clear that a suit to recover the value of paddy and such produce charged on immoveable property comes within this article; and (4) that article 166 should be amended so as to make it

clear that it applies to a petition by a judgment-debtor under Section 47 of the Civil Procedure Code.

Sir Alexander Muddiman, in making the motion, remarked that objections to various aspects of the Bill had been met on an earlier occasion. He, therefore, only formally moved the Bill. Sir Alexander also explained that the Bill was brought forward in the light of criticisms made by the last Assembly on a similar measure.

Mr. Belvi opposed Clause 2 of the Bill. He said there was no such provision either in English or American Law. English Law did not require that payment of interest should be evidenced by writing. There was no statistics to prove the allegation of the Civil Justice Committee that there was a crop of frivolous suits in the absence of such a provision. In considering this subject, the difficulties of the people in rural areas should be given due attention. Any law which required that every payment made by a debtor either by way of principal or interest should be evidenced by writing would create unnecessary complications in the daily economic life of villagers.

Mr. Srinivasa Iyengar had another difficulty. The words "acknowledgment of payment" in the Bill would, he said, add to the difficulties, especially in regard to mortgages.

Mr. Nirmal Chunder Chunder reiterated the objection advanced by the previous speakers. On the other hand, Mr. Amarnath Dutt, speaking from his experience as a practising lawyer in the mofussil courts, disagreed with the learned lawyers who preceded him. In his opinion, this was a very desirable change which would prevent unscrupulous money-lenders cheating the borrowers.

Sir Alexander Muddiman briefly replied and the Bill was then passed with one or two dissentients. The Assembly then adjourned.

#### Non-Official Bills.

On the 1ST FEBRUARY the Assembly had a very short sitting with non-official Bills. Mr. N. C. Kelkar introduced this Bill to amend the Land Acquisition Act. He said his measure while not impairing the usefulness of the Act in any material particular would help to make its operation less unpopular because more equitable. First of all, his Bill provided for a judicial enquiry where alleged public usefulness of work for which land was to be acquired could be challenged by any person. Secondly, where compensation of land was required under the Act, the present arbitrary powers should be replaced by arbitration.

12 other Bills were introduced formally without speeches. Their introduction was not opposed. These were Mr. Doraisami Iyengar's Bill amending the Registration Act and Civil Procedure Code section 80; Dr. Gour's Bill amending I. P. C. Section 141; Mr. Yakub's Bill amending the Succession Act, section 372 and the Bill to regulate and improve law reports, Mr. Neogy's Bill amending Steam Vessels Act and Indian Merchandise Marks Act and Mr. Harbilas Sarda's Bill to abolish child-marriages among Hindus. The Home Member told the House that he would oppose this Bill at all future stages. Mr. Yakub introduced the Bill to limit interest charged on loans of various kinds in British India and bring the law into conformity with the needs of the people and Mr. Kelkar a Bill amending the Societies Registration Act Section 20.

Dr. Gour was not in his seat when called on to introduce his Bill to amend the Indian Criminal Law Amendment Act 1908, and the Code of Criminal Procedure Section 491. When he came in the President said he could only make a second reading motion of the Bill. Dr. Gour did this and the Home Member objected as the Bill had not been yet introduced. Dr. Gour appealed to the chair for indulgence as Sir Frederick Whyte had on a similar occasion shown to the Home Member.

Sir Alexander Muddiman said he did not want to be harsh on Dr. Gour, but if the convention of not opposing introduction of a Bill was to be observed then its corresponding obligation that in case of such Bills no second motion be made on the day of introduction should also be observed. This the President upheld and Dr. Gour agreed and was allowed to introduce his Bill which he hoped would, as altered, be acceptable to the Government as his previous Bill, on the subject, though passed by the Assembly, was rejected by the Council of State. This Bill proposed to introduce safeguards of Habeas Corpus and would repeal and amend Part II of the Criminal Law Amendment Act whose repeal was recommended by the Repressive Laws Committee.

Next day, the 2ND FEBRUARY, after question time, Pandit Hridayanath Kunzru moved for the adjournment of the House to discuss the Government decision not to publish the report of the deputation to Fiji which was headed by Mr. Venkatapathi Raju. The President ruled that the chair was satisfied that the matter was not one of urgency and that the interest shown by the Home Member, meant that a resolution on the subject could be easily balloted. He, therefore, ruled it out of order.

#### Execution Decrees and Orders.

The Home Member then moved reference to the select committee of his bill amending the Civil Procedure Code relating to execution decrees and orders giving effect to the Civil Justice Committee's recommendations.

The Home Member said that although it was true that High Courts had been consulted with regard to the substance of the changes they had not seen the actual legal form in which they were embodied. He admitted the subject was complicated and therefore if Mr. Cooke who had tabled an amendment for reference to elicit opinion moved it, he would raise no objection to it.

Mr. Cooke moved for the circulation of the Bill for opinion and the Home Member agreed to this amendment. He said the High Courts had already protested in connection with some of the Bills arising out of the Rankin Report. The Bill was then ordered to be circulated.

#### C. P. C. Amendment Bill.

The Home Member next moved for the consideration of the Bill to amend Section 115 of the Civil Procedure Code mainly as recommended by the Civil Justice Committee limiting revisionary powers to Section 115 of the Code except in cases where special statutory provision was made to the contrary.

Mr. Jayakar opposed the Bill wholesale and held it to be, in the opinion of a considerable part of the legal profession, a retrograde Bill. It would cut down the wide revisional powers of the High Courts which was valued in India in respect of occasional blemishes in Judicial adminis-

tration. The Rankin Committee's sole reason seemed to be to avoid delay, but very large opinion in the legal profession was to have delay rather than injustice (hear hear). Mr. Jayakar went further and asserted that the Indian Legislature had no power to take away the inherent jurisdiction of the High Court given by a Statute of the British Parliament. Even leaving this aside, he asked the Home Member whether politically it was advisable at such a time when, instead of strengthening the position of the High Court, they should be deliberately limiting those powers. As one coming from the middle class, as a lawyer and as a politician, he held the measure to be retrograde and was opposed to it.

Mr. Srinivasa Iyengar, speaking with his legal experience which was not a limited one, held that the gravity of the proposal before the House was that it proposed to take away from the High Court's revisionary powers in just those cases where jurisdiction was most needed. The pious opinion of the Rankin Committee that delay would be avoided would not materialise. On the other hand, greater delay, greater trouble and greater expense to the litigant public would result in that the whole issue would have to be delayed till an appeal was filed against the decree of the lower court. He wished the Government would bring forward a more comprehensive Bill on the Rankin report than this piecemeal legislation. (Official benches : No.)

Mr. Harchandrai Vahindas joined in the opposition.

Mr. Nirmal Chander quoted from the Committee's report to show that while the committee diagnosed the disease all right, they suggested a wrong remedy, for which no case had been made out.

Mr. S. R. Das, Law Member, was not surprised at the opposition from lawyers. As a matter of fact as a lawyer his first interest was to oppose the measure; but if the Bill was examined carefully they would see that in respect of decrees no change was made in the law. The change was proposed in respect only of interlocutory orders. The Government felt that in this respect, no injustice would be done by the change proposed. He had known numerous instances where the case had been held up for months by the application made under Section 115. There would be no injustice, because if one order was made it could be set right on appeal.

Mr. Jayakar : It may be too late.

Mr. Das replied that in some cases it might. He continued that the High Courts still had power of interference where the lower court was acting beyond its jurisdiction. He held that the power of superintendence of a High Court was not affected by the Bill. He told Mr. Jayakar that the delay in justice sometime amounted to injustice.

Mr. Jinnah characterised as poor the defence put up by the Law Member. Mr. Jinnah mentioned that the Bombay High Court had rightly held that urgent cases involving grave consequences might arise where although the order might be appealable, the High Court extended its revisionary power. The only ground urged for this drastic change was delay. The attitude taken up by Lahore and Allahabad High Courts in interpreting the term 'cases' was most extraordinary. Delay could occur only in respect of pendency of bearing of a rule. If it was granted that there was a judge who knew his business, this delay should

not occur and he was confident about Bombay, Madras and Calcutta High Courts' judgment.

Pandit Motilal Nehru found no justification why one class of cases, namely, decrees, should be treated in one manner and the other class of cases, namely, interlocutory orders, in another. The Law Member had given away his whole case against delays by conceding that cases might be remitted. He found that the Allahabad High Court had in one day rejected 45 applications for revisionary interference. Moreover the power was discretionary and the High Courts could be trusted to exercise them properly. The Bill, instead of clarifying the law, would be mystifying it.

The Home Member then replied to the debate. Alluding to the argument that the Bill purported to take away the power conferred under Section 107 of the Government of India Act, he pointed out that the power given to the High Courts and those given to the Government were not co-extensive. The debate had convinced him of the merits of the Bill more than ever before. He assured Mr. Jayakar that there was no machiavellian intention in the Government in bringing the Bill. The Bill was entirely in correct legal form and sought to give effect to the recommendation which had the support of Sir Norman Macleod, Chief Justice of the Bombay High Court and of a Committee whose President and members were, he emphasised, very competent to deal with the task.

The Home member quoted figures to show that in the Bombay High Court the average time taken to dispose of revision cases was over a year. It was no good throwing stone on the competence of persons, because they put forward proposals which some lawyer members did not like. The House was entitled to suggest amendments during the consideration stage, but not oppose the consideration itself. If the Bill was opposed now, the only conclusion was that the Assembly was in favour of delaying justice which meant denying justice.

The motion for consideration was pressed to a division and lost by 43 against 58 votes.

#### Registration Act Amendment.

The Assembly without discussion passed the Bill amending the Registration Act and then adjourned till next day, the 3RD FEBRUARY, when the resolution of Mr. Jogiah for the release of political prisoners was taken up.

#### \* Release of Bengal Detenues.

Mr. JOGIAH was cheered by the Congress benches as he rose to move his resolution recommending (a) the repeal of the Bengal Regulation III of 1818 and similar regulations in force in other provinces of India and urging upon the Governor-General-in-Council the bare justice of an immediate release of all political detainees or of giving them at least the opportunity of exculpating themselves and proving themselves altogether innocent of the charges, if any, levelled against them and (b) the grant of an amnesty to all political prisoners now undergoing imprisonment. Mr. Jogiah intimated that he would not press part (b) of his resolution nor speak on it. Mr. Jogiah declared that the Bengal Regulation and other similar enactments were passed when Napoleon cast his eagle eye on India and when echoes of the Mahratta war had not died; but while civilisation had advanced, these regulations continued to be on the statute book. Deportations in Ireland had no analogy as the former country was actually at war with England while India was not. He challenged that the Bengal Regulation had not been appropriately applied.



There was no question of disturbance of the relations with foreign powers. The chiefs of Indian States had proved their loyalty on all ceremonial occasions on the platform and through the press. There was also no internal commotion. The deportations of these men was thus not justified even by the terms of the Regulation. And who were deported? All of them were good men and true. They were all patriots, men of purity of life and of noble purpose.

#### Pandit Mehra's Amendment.

Pandit Motilal NEHRU moved that for the resolution of Mr. Jagiah, the following be substituted :—

"This Assembly recommends to the Governor-General-in-Council that he be pleased to immediately release or bring to trial all detainees under the old regulations and the Bengal Criminal Law Amendment Act of 1925."

Pandit Motilal said : The amendment, though given at short notice, was already on the order paper. The original resolution clouded the main issue. His amendment proposed to focus interest on one issue. This did not mean that the other parts were given up. These had already been dealt with by this House and would again come up.

The President permitted the amendment of Pandit Motilal provided the motion of other amendments withdrew in his favour.

Pandit Motilal said his resolution did not require any argument to convince the non-official section of the House of the justice and soundness of the position. As for the Government, it was so impervious to their demands that they would be wasting time and breath in discussing the resolution. Pandit Motilal recalled the words of Lord Lytton justifying the arrests carried out in October 1923 that there was existence of terrorism. The speaker also recalled his statement in the last Assembly showing that not a single case had occurred since 1919 which justified Lord Lytton and which incriminated the detainees. "I then asked 'give me one case in which the conditions mentioned by Lytton have operated.' The answer is yet to come. I again challenge my friend though two years more have elapsed to give the main facts to prove the charge." The speaker, continuing, read to the House the Viceroy's speech on the 24th on the subject. How on earth was Government to be satisfied that the release of those men would not disturb the peace of the land? The Viceroy had put the cart before the horse. Unless the Government told them the grounds for their fears, how was he to satisfy that these fears were groundless? If the Government was morally convinced that was right, the country was morally convinced of the innocence of these men.

Continuing, Pandit Motilal said if he was told that the bombs had even recently been discovered, his reply was that the real culprits were then still at large and innocent persons had been detained. The case of Mr. Mitra, a member of the Assembly, was discussed by the House. He did not expect an Englishman, least of all the Home Member, to say that any constituency's right to elect its member should be fettered by saying that Mr. Mitra's constituency was given an opportunity to elect another representative. Mr. Bose was suffering seriously and there was suspicion of tuberculosis, but it was not on medical grounds that he urged for release. He mentioned this to show the inhumanity and callousness of the Government in keeping these men without trial. "Let me say emphatically that we are not in a mood to listen to constitutional advance or entertain any proposal for co-operation until these men are released or brought to trial. This is the last opportunity for the Government to shake off nervousness and Lord Irwin to signalise the first year of his Viceroyalty and the first session of this Assembly by an act of broad-minded statesmanship and to mark the opening of this new House by a real change of heart and not let it go down to history as merely a landmark of haughty British imperialism and enforced enslavement of India."

Sir Alexander MUDDIMAN, in opposing the motion, made a long speech. He gave a catalogue of crimes of violence which necessitated the passing of the Ordinances. The chief events were the dacoity near Howrah, the raid on Ulatding, the armed robbery in Gopalpara lane, the robbery with the use of firearms, the armed hold up at Chittagang of the mail van all in 1923, then the murder of Mr. Day, the explosion of bomb in Faridpur, the discovery of a bomb factory in Calcutta, the bomb outrage in Mirzapur Street and the murder of Santilal Chakravarti, one of the accused in Mirzapur Street bomb outrage, all these in 1924. Thus, throughout these periods there was continuing a series of plots directed against the lives of police officers and there was one which aimed at killing the life of the Governor of Bengal. The Government had, in their possession, materials establishing in all essential particulars the reality of several of these attempts. This list of crimes would have been far longer had not the Government used from time to time the powers under Regulation III to detain the leading brains of the Terrorist Party and

Mr. C. R. Das himself admitted that the movement was more serious than the authorities realised. To meet such a situation, the Bengal Ordinance was passed because the resources of ordinary law had proved powerless more than once. High judicial officers had been taken into confidence and their conclusion had in every case coincided with those of the Executive Government. It is indisputable that all authorities, the Government, high judicial officers, administrators and the Police had eventually been driven to the unanimous conclusion that it was impossible to fight the revolutionary conspiracy or deal with revolutionary crime under the ordinary law or through the machinery of courts and that special powers of extra-judicial character were necessary. "Heaven knows the experience in regard to revolutionary conspiracies has been dearly enough bought. It would have been nothing short of criminal if they had disregarded that experience when they were again confronted by an exactly similar situation."

Continuing, the Home Member said from the introduction of the Ordinance down to the present time, there had not been one single outrage of the type he had just given except of course the Alipur jail murder but the conspiracy had not been killed. For example, there was a widespread revolutionary racket in Bengal, in the U. P. and the Punjab in November 1928. There was the arrest of a party of nine in Dakhnawar in possession of live bomb etc. Then there was the Sora Bazar arrest in which two persons were found with revolver and some ammunition. Such was the history of revolutionary crime. Since special legislation became operative neither the movement had collapsed, nor had its violently criminal tendencies abated, but in all post-ordinance cases there was one reassuring feature namely, that in almost every single case the initiative had lain not with revolutionaries but with the police. The latter had been able to act in time by virtue of special powers to prevent murderous designs from coming to a head.

Mr. Banga Aiyar interrupting suggested that it was all the work of the agents provocateurs.

The Home Member scorned any such suggestion or charge and maintained that there was the undeniable connection between revolutionary pamphlets and acts by men who were trying to carry out their programme which they did not deny. He further maintained that the Ordinance had been more than justified by the practical results. The Government had checked the outward manifestations of the movement to a very considerable extent, but the basic conditions remained unchanged. The conditions of release were set out by Lord Irwin in his inaugural address. Sir Alexander Muddiman quoted this portion of H. E. the Viceroy's speech in full to show that their sole object in keeping the men under restraint was to prevent terrorist outrages and that they were prepared to release them the moment they were satisfied that their release would not defeat the object. Regarding the first condition, he had shown that the activities of the revolutionaries still continued, though checked and restrained. As to the second condition which raised the question of individual release, the matter must be decided on the past record of a detainee and the present attitude. He said: "But the Government are not demanding as is sometimes alleged any humiliating confessions from those detainees. A declaration that a detainee would on release take no part in revolutionary activities would be an element to be taken into consideration by the Government; but this on the one hand would not amount to a confession that he had taken part in such activities in the past and on the other hand such a declaration could not and would not be accepted by the Government as a ground for release without an examination of the whole circumstances of the case and past record of the detainee. If the Government are misled into releasing prisoners who prove subsequently by their actions that they are not keeping to the statement they made and have resumed their deplorable activities then the remedy is in the hands of the Government."

"As for the Bengal Regulation detainees the Government of India are primarily responsible. As for the Ordinance prisoners, cases of individual prisoners are primarily a matter for the consideration of the Bengal Government. The Government of India are responsible to the extent of the general policy and action taken under that Act (Ordinance). They are not and they cannot be responsible for cases of individual prisoners."

"The general policy has been laid down in the Viceroy's speech. Application of that policy in the case of Regulation III prisoners is a matter for the Government of India and in the case of the Bengal Criminal Law Amendment Act prisoners for the Government of Bengal."

Mr. M. K. ACHARYA did not deny the Government charge that there was a revolutionary movement. In a land so badly and tyrannically governed as India, his surprise was that there had not been more crime (Congress back benches: Hear, hear); but he asked what connection was there between these conspiracies and the detainees. Had Mr. Subash Chandra Bose been found to be the leader of this gang? Where was the evidence to prove

It. He said "Why not create an era of peace, goodwill and confidence by releasing these men? There will always be found some bombs in India. Will these men for that reason be always kept in jail? If you don't believe us, take hostages from us and release them."

Lala LAJPAT RAI said the whole of India thought on this question with one opinion and the resolution would be brought up year after year until this fundamental grievance was redressed. There were conspiracies in all countries. The United States of America has the K's Klux Klan movement. There was lynching going on there; but the Government of the U. S. A. had not taken special measures to suppress them. In a big country like India, such crime could never be eliminated. "We want to show the hollowness of the claim that India is being governed by a civilized Government with the consent of the people. You cannot be defenders of liberty. You have snatched it from us and are keeping it back to exploit us." (Applause.) The Lala wanted the official members to put themselves in the position of the detainees who had been deprived of their liberty and comforts of life without trial. "I don't accept for a moment that official benches are greater friends of India than we on these benches are. You are absolutely loyal and faithful to your country, Great Britain, and we here are greater friends of our own country. (Applause.) I appeal to the Government to revoke this law for without that, there will be no reconciliation in the country."

Mr. GOSWAMI said when he came into the House he expected a more statesmanlike pronouncement from the Home Member. Mr. Goswami divulged publicly under the cover of privilege two statements made by Lord Lytton categorically to a conference in which Mr. Goswami took part. Firstly, Lord Lytton said he was prepared to release the detainees provided they gave an undertaking that they would not in future commit any violent crime or be concerned in the commission of violent crimes. Secondly, and it was an admission, Lord Lytton said that the people who had been proceeded against were people who had committed no crime, but were prevented from committing crime. Now which country in the world had laws which prevented crime by such indefinite detention?

The Home Member:—What was your reply to Lord Lytton?

Mr. Goswami said he had told Lord Lytton that all depended on the form of the undertaking asked for. He wanted the Home Member to find a solution honourable to both sides. Mr. Keane had called the revolutionaries as the unseen wing of the Swarnj Party. The speaker therefore challenged the Home Member to disprove the statement that arrests were made on the 25th October 1934 and warrants were all signed on the 25th August 1934, the day following the defeat of dierohy in Bengal. (Applause.) Finally, he emphasised the seriousness of the situation caused by the health of Mr. Bose and other detainees. He endorsed Lala Lajpat Rai's statement that the country, though weak to-day, had potential resources.

Mr. Srinivas IYENGAR declared emphatically that it would be impossible for the Government to convince the Congress without the release of these prisoners. The Home Member's speech was a thrice told tale. The speaker's opinion was that terrorism was on the other side. (Here, here). The Government wanted to reserve to itself the political lead of the country. If the Government were put into jail, terrorism would stop. (Laughter). Politics of the country could never be controlled by this policy of repression. "I agree with Mr. Acharya that I will be doing duty to my country if I were in the place of Mr. Bose. (European benches: No.) If the judgment of the Indian people can not change the Government, then God's condign punishment will fall upon this Government."

Mr. Abdul Motin CHOWDHURY said that the Government was only adding fuel to the revolutionary fire. Even Lord Lytton seemed to have an uneasy conscience over the matter. Others who had been released in the past had not disappointed the Government. Suffering of detainees on mere suspicion was more than even that of convicted persons. "Mighty Empires will not be shaken if three men are released. Intemperate speeches can still be made at St. Andrews Dinner. The Congress office will not shift on to Writers' Buildings. Olive Street can go on doing its business merrily, while Calcutta will become a cleaner and healthier city to live in."

Mr. TONKINSON said that only compelling circumstances had rendered it impossible to hold an open trial. The experience of the life of Lord Lytton, Lord Reading, Lord Oliver and Lord Birkenhead was sufficient guarantee that the special measures were absolutely forced on them. This revolutionary camp

in intimidation, dacoities and robberies. What could be more despicable than that some of the revolutionaries should have taken to teaching to pervert the minds on boys committed to their charge. Could any one deny that there was definite recrudescence of the same movement which practically brought Bengal to a state of terror in the years before the Defence of India Act came into operation? Materials in the possession of the Government were convincing.

Mr. Jinnah: Why not try them?

Mr. Tonkinson replied that no Government worthy of its name would expose the witnesses to peril. The Government could continue these measures until the situation improved.

Mr. Goswami: Until it is broken?

Mr. Tonkinson opined that if in England a similar situation arose the good sense of the British people would agree to these laws though Parliament would hesitate, as the Government of India hesitated in taking in hand these special powers. (Laughter.)

Pandit MALAVIYA warmly repudiated Mr. Tonkinson's assertion that the English Parliament would not hesitate to enact a law like the Bengal Criminal Law Amendment Act. On the other hand, he thought that the members would not be allowed by the people to approach Parliament House unless exceptional circumstances had arisen. Such circumstances had not arisen in India. Prisoners had not been given fair play. Nothing but official "fear" (prestige) prevented the Government from owning their mistakes. In not a single case had the reasons mentioned by Lord Lytton been proved. Every one in the discharge of his duties must bear all risks that were attendant on him. Indians and Europeans alike had to face such risks. Had not Lord Hardinge, when a bomb was thrown at him, say "Let there be no change in policy." The Pandit accepted that there was a conspiracy. But the way to deal with it was to bring the offenders to trial in an open manner. Lord Lytton who was a gentleman in many ways was wrong in the continued detention of the prisoners. Let not cowardly fear stand in the way of releasing the prisoners. The Government would earn the gratitude of the entire Indian community by releasing three men who had been under detention for 27 months.

Mr. Alexander MUDDIMAN, the Home Member, then replied to the debate. His speech was of special significance in indicating the official mind on the subject of the release of Bengal detainees. He said:—

"Sir, I will not detain the House very long, at least, I trust, not at this late stage in the proceedings. This debate has lasted the whole of the long day. It has evoked a great deal of interest in all quarters of the House. It is only natural that it should do so. It is a matter in which I will, for the moment, endeavour to do what one of the speakers asked me to do, that is, put myself in the position of those speaking on the other side and I desire to make it quite clear that I realise that they feel strong in this matter. That is perfectly clear from the debate. It is perfectly clear from previous debates and it is also well-known to me. Apart from that, it is a matter, and must necessarily be a matter which, as I have told the House, the legislature will naturally press on the executive, namely, discontinuing the extraordinary measures unless they can justify their continuance. I make no complaint of the manner in which this House frequently returns to that point. I should think less of them if they did not do so. But as in all matters of this kind, it must be approached not in a spirit of antagonism, nor in a spirit of unhelpfulness, but in a desire to place a case before the Government which the Government can possibly deal with and which does not conflict with any of our primary duties. It has been said by one honourable gentleman that this was a matter that should not be made a question of party. In regard to administration of law and order, there is no party. The interests of the Government and the interests of the citizens ought to be one and I can assure this House that as the Home Member I have never discharged any of my duties with the slightest regard to party or community. You doubtless do think often that the Government are wrong-headed. You often think—you often say whether you really think it or not, for I doubt it—that we act from motives which we do not disclose. But I do beg the House to believe that as far as I am concerned and as far as the Government of India is concerned, there is no question of party or acting with any communal or political object. In our action in this matter our sole business is to deal a plain issue of law and order. I know the House dislikes the very mention of law and order when it comes from my lips though it comes very freely from the lips of those who sit opposite. Law and order does not mean that the Government is protecting itself. It means that the Government is protecting the bulk of its citizens.

Now I have heard a good deal in this debate about the growing cowardice of British officials and Indian officials. Sir, that is not so. I don't think that is the true opinion of this House. I have filled a position of some importance in this country for many years. I have had to discharge duties of some importance which have brought me into contact with forces of disorder. I have never in my life had a guard of any sort. I do not pretend to be a man of any courage, for I know I am not. It may be true that having for a long time lived in Bengal I am tainted with the supposed vices of that province. (Laughter.) I ask the House to believe that there is nothing in these measures of ours that is being done to protect any supposed increasing timidity on the part of high officials. It is hard, I think it is very hard, that I should be told that that is the reason of our action. Sir, it is not a fear that police officials of both nationalities or officers of the Government may be shot; it is a stern fact. This is not a question of apprehension. They have been shot and shot frequently. That, Sir, disposes of the argument that these precautionary measures are the children of unreasonable apprehension.

Then, Sir, there is a further point that these outrages (unfortunately perhaps in the minds of some) do not affect merely a handful of Government officials. They affect a number of perfectly innocent men who have nothing whatever to do with the Government; men who were dacoited were not officials of the Government; men whose money is taken are not officials of the Government; men who are injured are not often officials of the Government. The unfortunate Mr. Day who was shot in the Park Street was not a servant of the Government. As far as I know he had no connection whatsoever with the Government. It is true many Government servants have suffered and died heavily in the discharge of their duties but they are not the sum total of victims of the outrages. It was said, 'you have all kinds of arrangements to protect the great land'. Sir, the hand of the assassin may render all precautions useless.

Mr. Rangaswami Iyengar: Even with the Ordinances?

Sir A. Muddiman: Yes, Sir, even with the Ordinances. I cannot guarantee myself or the honourable members opposite from the hand of the assassin. You have seen that their hand falls on many who are innocent.

Mr. T. Prakasam: Continued detention will make it worse.

Sir Muddiman: It may be so.

Mr. T. Prakasam: It is so.

Sir A. Muddiman: If by that my honourable friend means that the spirit of these men is so filled with animosity that their release will increase revolutionary crime, then, Sir, he is using rather a poor argument in support of his own case.

Mr. T. Prakasam: That is not the point.

Sir A. Muddiman: Now, Sir, my honourable friend opposite said the cases of law and order was as dear to him as it was to me. Sir, does he agree with the view of one of his back-benchers who said 'if it was in my power, I would stir up every young man in India to become a revolutionary conspirator and encourage revolutionary crime in India.' Is that the message of his party to me or not? (An honourable member: Surely not.) (Another honourable member: He was right in saying so.) That, Sir, I should like to have heard repudiated, because it would have made my task easier.

Now, I desire to deal with one issue that was raised—raised in a very moderate way by a gentleman who does not always speak so moderately—but on this occasion he referred to the sufferings of some of these misguided men as a result of their confinement. I may at once, on behalf of the Government, say that if he can justify any real case for release or if anybody else can justify any case for release or if we ourselves can find that any case for release has been made out on medical grounds that release will be made.

Pandit Motilal Nehru: I did not put my amendment on that ground.

Sir Alexander Muddiman: No, Sir. But I desire to make it plain that we have a certain sense of humanity. We do not desire to detain men whose health has been so seriously impaired that their powers of harm have gone.

Mr. Rangaswami Iyengar: Emasculate them before you release them.

Sir Alexander Muddiman: We have not as yet adopted that system. (Laughter.) Sir, my hon. friend said that the tale that I have told the House is a three-told tale. Well, it is a three-told tale. You will remember the remark in Alice when "if you say it three times, it is right." Therefore, none the less it is, because it is three-told. My hon'ble friend Lala Lajpat Rai, in a very interesting speech, said that no arguments he could adduce would move me and that no arguments of mine could move him. For, to deal with his speech is useless for me to attempt to do so and I am sorry that this should be the case, for I should have endeavoured to address some remarks to him. Some other member said that preventive measures were unknown to Indian law. Well, Sir, it seemed to me when

I was a magistrate for some time that there were certain sections such as sections 107, 108, 109 and 110 which were of a preventive character and which may result in the incarceration of those who do not comply with their provisions. (An hon. member: Use them.) I was merely referring to the argument that these were preventive measures in our law.

Now, Sir, an argument was used that the Government does not do these things honestly, that we do it because it pleases us to do so capriciously. There is some peculiar feeling that I sleep or my honourable colleagues sleep more comfortably because they know that other people are sleeping uncomfortably. That is not so, I assure the House that that is not the case. Put it on the lowest ground, these men are a source of great political annoyance. To me they are a very good stick to beat the Government with. Their case is brought before me frequently and they give me and my officers a great deal of trouble and so putting it on lowest grounds, we do not keep them in because we enjoy doing it. I want to make that point perfectly clear. We have not put those men in jail either for political reasons or for the sake of gratifying some perverse sense of delight in oppression which is perfectly foreign to me or to the Government and would be a very unsatisfactory form of amusement. Sir, I noticed with satisfaction that my honourable friend the Pandit expressed his intention of supporting the Government in any measures required for law and order other than the one before the House. If he will pardon me, I have heard him say this before on another occasion (A voice: Any reasonable measure) where difference will probably come, and amiable as this House is in many ways it has not always shown its readiness to support reasonable measures or at any rate measures which this side of the House thinks reasonable. (A voice: Which side?) The House generally is unwilling, as all legislatures are apt to be, to support strong measures.

Now, Sir, a portion of my speech did not attract as much attention as I thought it might have done. It is possible because I spoke at considerable length foreign to my natural tendencies. I did not perhaps make it as clear to the House as I thought I did. I said and I will repeat it and I would ask the House to listen carefully. I had read out His Excellency's statement when he first addressed this House dealing with this question of the release of Bengal detainees. I may emphasise it that there were two conditions which were mentioned in that statement. The first condition, I hold and I think the House generally will hold, is not fulfilled. As regards the second condition I made the following remarks. I said: 'As to the second condition which raises the question of individual release the matter must be decided in the last light of the record of the detainees and his present attitude. The Government are not demanding as is sometimes alleged any humiliating confessions from these detainees. They are more interested in the future than in the past. A declaration that a detainee would on release take no part in revolutionary activities would be an element to be taken into consideration by the Government. But this on the one hand would not amount to a confession that he had taken part in such activities in the past and on the other hand such a declaration could not and would not be accepted by the Government as a ground for release without an examination of the whole circumstances of the case and the past record of the detainee.' That, Sir, if I may say so, was rather an important portion in my speech which I thought the House should have taken more notice of. The only speaker who did refer to it was my honourable friend, Mr. Goswami. He referred to it as being something different from an offer or a statement which he understood, no doubt in his own judgment correct, to have been made by His Excellency Lord Lytton at a meeting or Conference he held sometime before the session began. Well, Sir, when we were discussing the motion for adjournment the other day, this point was raised by a speaker who sits behind me and it was also raised by the honourable friend and I confess I was somewhat surprised at the statements that were made and accordingly communicated with the Government of Bengal and ascertained what had happened. The statement made by His Excellency Lord Lytton, I am assured, did not differ in terms from the statement I made to the House to-day. That there was undoubtedly some difference of opinion as to what was actually said seems clear, but I think it right to all parties concerned to say that the Government of India and the Government of Bengal are at one on this and although there may have been some misapprehension, there is no difference in fact.

Mr. Goswami: Will the honourable the Home Member permit me to say just one word? I suppose human memory cannot always be relied upon but I think I took the precaution of getting His Excellency Lord Lytton to repeat this statement. I said, "I

also from Your Excellency etc." I thought I had made it quite clear that I understood him very clearly and very categorically. That is all I can say.

Sir Alexander Muddiman: I do not mean to challenge the accuracy of the honourable member's impression of what happened. That is not my point. It is quite evident that there was some genuine misapprehension of what His Excellency Lord Lytton said and I think it was right to clear it up at the earliest opportunity as, when the matter was mentioned in this House, I was not in a position to deal with it.

Mr. Jinnah: Do I understand the honourable member to say that this statement would not involve a confession of guilt?

Sir Alexander Muddiman: I read out the words very clearly and will read them out again because on this point there must be no ground for doubt whatever. What I said was a declaration that a detenus would on release take no part in revolutionary activities would be an element to be taken into consideration, but this on the one hand would not amount to a confession that he had taken part in such activities in the past and on the other hand such a declaration could not and would not be accepted by the Government as a ground for release without an examination of the whole circumstances of the case and the past record of the detenus. Now these words are carefully thought out words and I have read them out to the House on three occasions and hope the House will give due attention.

Now, Sir, let me develop the point I was about to make. It is said that these men are not revolutionaries and that they do not desire to commit violent acts. If that is the case, what I put before the House would seem to me to give them an opportunity at any rate of informing the Government if that is really their view. What view would the House take where a man says: "Yes, I am a revolutionary. You look me up, I do not care in the least. I desire to overthrow your Government by every means in my power. If you let me out, I will use a revolver if I can get it to overthrow you." Does the House wish me to release a man who says that? (An honourable member: Put him on his trial). Does the House really desire me to release a man who says openly that if he is released he will do that?

Pandit Motilal Nehru: Put him on his trial and evidence from the admission of that man would secure a conviction right enough.

Sir A. Muddiman: No man will be so foolish as to make that statement in circumstances where I can use it in evidence against him. That is a point I desire to bring before the House and on that I think the Government is entitled to ask what the view of the House in a case of that kind is, namely, where a man says frankly, "I am a revolutionary; I desire to overthrow your Government. I desire to use any means in my power to do that. If I can get a revolver, I will shoot the first police officer I come across."

Pandit Madan Mohan Malaviya: You have got Sections 108, 109 and 110 of the Criminal Procedure Code.

Sir Alexander Muddiman: I have put before the House a question of some importance. I will ask the House to think over that question very seriously. I have defended.

Mr. Jinnah: Is there any detenus, Sir, who has made that statement?

Mr. President: Does the honourable member wish to give way?

Sir Alexander Muddiman: No, Sir, when I was interrupted I was saying I have done my best to meet this resolution. It has been spoken to with ability in many parts of the House, but no speech has been of greater ability than that of Mr. Tonkinson whose intimate connection with the Home Department, I desire to acknowledge to-day, had been of the greatest value and to whom I tender my congratulations. Sir, I shall not detain the House from proceeding to its judgment by vote.

Pandit Nehru's Amendment Carried.

Division took place at 6 p.m. and Pandit Motilal's amendment was carried by 63 votes against 50 after which the House adjourned.

### Official Bills.

The House re-assembled next on the 7TH FEBRUARY with an agenda of official legislative business. At the outset, on the motion of Mr. M. S. Aney, the Assembly selected a number of members to sit on the Select Committee to the Bill to amend the Indian Securities Act, 1920.

Sir Alexander Muddiman then introduced the Bill amending the Presidency Towns Insolvency Act 1909 and the Provincial Insolvency Act 1920,

### Limitation Act Amendment.

The Home Member next moved for consideration of the Bill amending the Limitation Act 1908 (amendment of article 182). He said that the High Courts had expressed themselves in favour of the changes proposed.

Mr. Doraiswami Iyengar, in opposing the consideration of the motion, said he did so because he had failed in his honest attempt with the Home Member earlier in the day to have the Bill referred to the Select Committee. He said the Government were merely paying lip homage to the recommendations of the Civil Justice Committee. The difficulties of litigants were not so much in getting decrees but after getting them. Mr. Iyengar read the recommendation of the Committee in this particular and emphasised that the Government had taken advantage of a small conditional clause to bring before the Assembly this ha'penny ta'penny measure. Opinion was for deletion of article 182 and not for this very minor change which he feared would result in increasing frivolous applications by compelling the decree-holder to be court-burnt, looking after execution of applications. This was not the way to reduce law's delays but to increase them.

The Bill was then considered clause by clause. Discussion centred round the motion of Mr. Doraiswami Iyengar for the addition to clause five of the said article the following words: "or the date of any final decree passed in a suit directing refund of any amount realised by a decree-holder in execution of the decree."

Mr. S. R. Das agreed with the principal of the amendment suggested and promised to bring before the Council of State the necessary amendment. Thereupon Mr. Doraiswami Iyengar withdrew the amendment. The Bill with verbal alteration suggested by Moulvi Mohamed Yakub was then passed.

### The Currency Bill.

The Home Member then announced the Government's considered decision to move for consideration of the Currency Bill relating to the exchange ratio on March 7th.

The Home Member announced that "Government have given very careful consideration to the question of further procedure on the Currency Bill and have taken fully into account the views expressed by various speakers in the course of the debate on January 25th. In order that their position in this matter may be clear to the House, the Government desire to explain shortly the reason for the conclusion they have reached.

"As many hon'ble members are aware, the main features of the budget have to be settled by the Government by the middle of January each year and it is only under considerable pressure that the preparation of the detailed estimates and demands for grants can be completed in time for the introduction of the budget on February 28th. The decision of the Assembly to postpone consideration of the Currency Bill last August, therefore, made it impossible for the budget of 1927-28 to be prepared on the basis of any ratio other than 1s. 6d. The effect on the budget of a reduction of ratio to 1s. 4d. would, of course, be very considerable, but it does not in any way depend on the question whether final decision regarding ratio is taken before or after the introduction of the budget. Clearly the same must be the same in either case and as stated by the Currency Commission in



207 of their report, the effect though it is not decisive, cannot be ignored in considering what the ratio should be if the House is called upon to come to a decision on the ratio before the budget is introduced. The decision will take place in the absence of facts and figures which are known to the Government and are very material to the decision and should obviously be weighed by the House in coming to their conclusion, but cannot be disclosed without a premature disclosure of the contents of the budget. If, on the other hand, the budget is opened before the discussion takes place, the House will have full knowledge of bearing upon the finances of the country on the decision they are called on to take and will be able to come to their conclusions both on the budget and on the ratio with a full understanding of all relevant facts. No more and no less difficulty would be involved in readjusting the budget figures and the proposals to 1s. 4d. if a decision in favour of that ratio were taken after 28th February than if it were taken earlier. In view of these considerations the Government have decided to pull down the motion that the Currency Bill be taken into consideration on Monday the 7th March".

Before the Assembly adjourned till next day (for consideration of non-official resolutions), the Select Committee's report on the Steel Protection Bill was presented amidst cheers. The following is the text of the Report :—

## Select Comm. Report on Steel Protection Bill.

### The Majority Report.

"We have considered the Bill and have now the honour to submit this our report with the Bill as amended by us annexed thereto. At the outset of our proceedings, we considered six different methods of conferring protection on the steel industry enumerated in paragraph 94 of the report of the Indian Tariff Board regarding continuance of protection to the Indian steel industry. As a result of our discussions, a great majority of us were satisfied that only two methods were practicable in the present circumstances. First of these is that embodied in the Bill by which duties are imposed on steel of British manufacture against competition from the United Kingdom and higher duties on steel imported from other countries. The second is a system by which uniform duties would be imposed on steel imported from any source, these duties being based on the difference between fair selling prices for Indian steel and weighted average prices of imported steel. In order that the difference between the two methods might be clearly brought out, the Commerce Department of the Government of India supplied us with amendments which would be necessary in the Bill and its schedule, if it were decided to adopt weighted average system without increasing or diminishing the degree of protection given. The Department also supplied amendments embodying a modification of this system by which certain classes of steel would become subject to (a) uniform basic duties and (b) uniform additional duties and the Governor-General in Council would be empowered to modify the additional duties (but not the basic duties) whether by way of increase or of reduction. This modification of the weighted average system removes one of the objections to which it is open, viz., that it provides no means by which without legislation the amount of protection could be reduced if a substantial increase in prices had rendered it altogether excessive.

"We discussed at length the advantages i. e., (a) differential duties with a lower rate on steel of British manufacture and a higher rate on steel not of British manufacture and (b) weighted average system opened by the division of the duty on such class of steel selected into a basic and an additional duty. A majority of us are of opinion that the first of these alternatives which is the scheme adopted in the Bill is preferable and should be adopted. In arriving at this conclusion we have attached great weight to the principle embodied in the preamble to the Bill that a scheme of protection must have due regard to the well-being of the community. We are satisfied that the economic interest of India

will be better served by the system of differential rates of duty on British and non-British steel than by a system which subjects all steel to uniform rates of duty based on weighted average prices of imported steel. A weighted average system of duties must be unsuitable because change in the relative level of prices of British and continental steel would lead to change in proportions in which steel made in India is sold in competition with steel from other sources. A more serious objection is that the price both of standard steel and of fabricated steel would be raised unnecessarily owing to the higher duty on British steel. As a result the cost of important public works involving the use of large quantities of steel would be increased. The manufacture of machinery in India would be rendered more difficult and industrial development of the country would be retarded. It has been urged that the weighted average system at any rate diminishes the burden imposed on users of steel. We do not consider that that claim is well founded. Of the classes of steel to which the Bill applies differential rates of duty, the most important is steel bars and in this case the difference between the duty on continental bars proposed in the Bill and the duty required under weighted average system is no more than Rs. 2 a ton. To that extent, price of steel bars would be higher under the differential system in Calcutta and in any other area where Indian steel can compete effectively with imported steel. But in areas which are nearer to other great ports of India than they are to Jambhedpur and where consequently Indian steel is at a disadvantage, it is possible for importers to raise the price of continental steel bars to a point a little below the price at which British steel bars could be imported under the weighted average system. This point is higher by Rs. 9 a ton than it is under the differential system. We believe that if the differential system is adopted the consumer of non-standard steel in any area in which Indian steel cannot effectively compete will not in fact pay a higher price than he would under the weighted average system but a lower one owing to the reduction on the British steel.

"We considered but were unable to accept a suggestion for securing the welfare of labour for the limitation of dividends and for preventing industrial concerns which enjoy the benefit of protection from passing out of Indian into foreign hands. We think that difficulties in the way of incorporating provisions of this kind in the Bill are insuperable.

"Having approved by a majority the principle of differentiation in certain classes of steel between steel of British manufacture and steel not of British manufacture, we proceeded to a consideration of the details of the Bill.

"Clause 2: We considered a suggestion that the Bill contained no provision for the consequences which might follow a substantial decrease in the price of British steel and we have amended Clause 3 (1) of the Bill in order to provide for this contingency. It is proposed by the amendment to insert in section 3 of the Indian Tariff Act 1894 a new sub-section empowering the Governor-General in Council to increase but not to reduce the duty chargeable on articles of British manufacture if changes in prices are likely to render ineffective the protection given to the Indian steel industry.

"Clause 3: We have made an amendment in this clause omitting words, as, according to the clause, before the amendment, it would be impossible for the Governor-General in Council without legislation to order a general enquiry into the condition of steel industry before the 1st of April 1933. We think this restriction is undesirable since circumstances might be such as to render an enquiry imperative at an earlier date.

"In the schedule we have made an amendment in item 62 in Part IV in Schedule II to the Indian Tariff Act 1924 as amended by the Bill. Under this item as it stood, certain kinds of steel bars which the Tariff Board considered should be subject only to a revenue duty, became subject to a protective duty. The effect of the amendment made is to exclude such bars from the scope of protective duty.

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#### Minutes of Dissent.

Minutes of dissent signed to the report of the Select Committee on the Steel Protection Bill are two. The one is signed by Mr. Jayakar, Lala Lajpat Rai, Mr. Shunmukham Chetti and Mr. Amarnath Dutt, while the other is signed by Mr. Jammadas Mehta, Mr. M. N. Joshi and Mr. M. K. Acharya. The former minute says:—

"We regret we have not been able to agree with the scheme of protection as embodied in the Bill approved by our colleagues. Though certain amendments have been made to the Bill as originally introduced by the Government, yet the general scheme remains the same. The main scheme of the Bill is to differentiate between steel of British origin and non-British origin. The scheme has been criticised as a scheme of imperial but we were assured that this is not really imperial preference but ~~is~~ <sup>is</sup> based upon differences in the quality of steel imported. Even though we might be prepared to

accept the assumption that imperial preference is not sought to be introduced through this Bill, yet the fact remains that the difference in duty which is sought to be imposed is not based merely on the quality of goods but on the basis of the country of origin. We think it very undesirable to accept any scheme of protective duties based upon the country of origin of commodities imported. The acceptance of such a principle in any form is not merely unsound but it may lead to complications in future.

A greater proportion of continental steel that is imported into India does not conform to British standard specifications, it has not been denied that standard steel is manufactured in the continent also. By imposing a higher duty on all continental steel, irrespective of the fact whether it is standard steel or not, continental manufacturers of standard steel is placed at a disadvantage in the Indian market as compared with the position of British manufacturers. Such a discrimination, in our opinion, cannot be justified unless India is prepared deliberately to adopt a policy of British preference.

Though we are assured that all steel manufactured in the United Kingdom conformed to British standard specification, yet it is not unlikely that the British manufacturer taking advantage of the assured protection given to him in the Indian market for a period of seven years may lower the standard of British steel imported into this country. This result can be brought about either by deliberately lowering the standard or by a greater use of semi-finished continental steel. Our apprehensions in this respect are confirmed by the remark of the Tariff Board in paragraph 104 of the report in which they observed, 'the present prices of imported British steel on which our proposals are based reflects, to a very large extent, economies rendered possible by the use of semi-finished continental material.' In any case there is a likelihood that rejections of British manufacture may be sent to India in larger quantities.

There are some of our main objections against the scheme proposed by the Government and for these reasons, we regret we cannot agree to that scheme. After carefully considering the various alternative schemes suggested by the Tariff Board, we have come to the conclusion that a uniform duty based on weighted average system with a basic duty which will not be altered for seven years would be the best in the circumstances. Under the scheme that we propose, there would be a basic duty calculated upon the present selling price of British standard steel together with an additional duty to protect Indian steel against continental steel which sells at a lower price. If prices of British or continental steel increases or decreases, the Governor-General in Council is given power to decrease or increase additional duty as the case may be. This scheme that we propose will meet the main objections urged against the average weighted system as proposed by the Tariff Board. Our scheme differs from that suggested by the Tariff Board in that we have proposed the levy of a basic and an additional duty in the place of one uniform duty suggested by them and the additional duty that we proposed would be levied upon all steel irrespective of the country of origin. By fixing a basic duty for a period of seven years, the steel industry is assured a minimum protection during this period and this would achieve the object of attracting fresh capital into the steel industry. Power to alter the additional duty which we propose to vest in the Governor-General in Council will be an effective safeguard against any excessive or ineffective protection.

We are conscious of the fact that under our scheme, the price of British standard steel will be a little higher than the corresponding price under the Government Bill. Though this may be considered to be a defect inherent in the scheme that we propose, we may urge that the additional steel burden on the user of British steel is counterbalanced by the lower price of continental steel. None of the alternative schemes suggested by the Tariff Board can be said to be entirely flawless and, in our opinion, the scheme that we have proposed seems to be the best under the circumstances. We append herewith a draft of the Bill embodying the scheme suggested by us."

#### Mr. Mehta's Dissenting Minute.

The other written by Mr. Jamnadas Mehta is opposed to imperial preference as the other section of dissentients, but they point out that the overwhelming majority of people will refuse to countenance imperial preference in any shape or form not because of any hostility towards the British people but because of deep-seated conviction based on the painful experience of nearly two centuries that British imperialists and capitalists are at the bottom of all India's trouble. If the full results of the Board's proposals of differential duties which are most in the nature of speculations materialise, they will give to the industry in the first four years the least protection when it requires most. Moreover, it imposes an intolerable and wholly unnecessary burden of forty lakhs of rupees a year on the consumer of certain continental products in Burma, Eastern Bengal,

Assam, Madras Presidency, Central Provinces, etc., without conferring the least benefit on the Indian industry. Mr. Jammadas says that the scheme evolved by his friends in the minute of dissent was untried and if it did not succeed, the responsibility would be placed on the shoulders of the Assembly. Mr. Jammadas Mehta and Mr. Acharya favour the imposition of protective duties and payment of bounties as the only method of protecting the industry without unduly taxing the taxpayer. After a calculation of different statistics, Mr. Jammadas recommends that the present system of combined duties and bounties is the best.

Mr. Joshi agrees with this minute so far as it develops the system of duties and bounties combined, while Mr. Acharya agreed in entirety. They recommend that uniform bounties should represent the difference between a fair selling price and the higher scale of foreign prices. The bounty should be fixed from the amount recoverable from protective duties. Finally, Mr. Jammadas recommends that the Bill should be referred to the Select Committee for the adoption of the above proposals.

### The Tariff Board's Recommendations.

Early in January 1927 the Government of India in a communique published the report of the Tariff Board announcing that they propose to introduce in the Delhi Session of the Assembly a bill carrying out the main recommendations contained in the Report. The Board recommended that Protection granted to the Indian steel industry since 1924 to be continued in a modified form for seven years till March 1933. The report of the Board which conducted a statutory enquiry into the condition of the industry embodied proposals for the imposition of differential duties and abolition of the system of bounties. Protection given to the industry in India had substantially improved its position and the output of finished steel at the end of seven years would be 600,000 tons while the cost of manufacture is expected to be reduced especially after the recent and contemplated extensions and improvements in Jamshedpur works. But the prices of imported steel had fallen substantially and unless protection was continued it would not be possible to manufacture and sell Indian steel in competition with imported product.

The Board condemns the system of bounties under which the steel industry would have obtained from Indian revenues about 209 lakhs of rupees till the end of March 1927 as being less effective in preventing unfair competition. It does not suggest the adoption of uniform duties because under it manufacture calculated to discourage the British standard of steel which is more reliable than Continental steel would be clearly undesirable. It is regarded as probable that the prices of British steel in future would be fairly stable but the course of Continental prices cannot be foreseen as numerous factors like combines and unfair dumping aided by a depreciating exchange might come into play. Therefore the Board suggests the imposition of a basic duty on all steel imported from whatever country while additional duty is recommended on steel of non-British origin. The board reduces the present import duty on rolled steel as follows :—

In the case of rails from Rs. 14 per ton plus bounties to Rs. 15 basic duty and no additional duty.

Fishplates from Rs. 14 plus bounties to Rs. 6 minimum basic duty and no additional duty.

Structural sections from Rs. 30 per ton to Rs. 19 basic and 11 additional.

Rails from Rs. 40 per ton to Rs. 35 basic and 11 additional.

Galvanized sheets from Rs. 45 to Rs. 35 basic and no additional duty while the duty on plates is raised from Rs. 30 per ton to Rs. 30 basic and 16 additional and black sheets from Rs. 30 per ton to Rs. 35 basic and 34 additional.

As regards fabricated steel the Board recommends in place of a 25 per cent. ad valorem duty a basic duty of 17 per cent. and an additional duty of Rs. 15 per ton. By the end of seven years the Board believed the industry should be able to meet the British competition without the assistance of any protective or revenue duty. If the Continental prices remain at their present level some measure of protection might still be required. The proposed basic duties should be in force unaltered for seven years when there must be another statutory enquiry but additional duties might be reduced or raised by the Government without reference to the Legislature during the period of protection if the prices of non-British steel justify the change. The proposed duties though they involve a distinct reduction in the existing duties should enable in the long run to reduce the prices of steel to a level lower than at any period since the war. At the same time the Board points out that the low level of duty on rails would be justifiable only if the Government arrange to purchase the whole of their requirements of rails in India so far as they can be produced in India.

While giving this warning the Board is constrained to warmly refute the allegations of the Tata Company that the Indian railways avoided the purchase of Indian material because these allegations were not substantiated by evidence. The Board has satisfied itself that differential duties are not impracticable from the administrative point of view and these are recommended as leading to an equitable distribution of burden over the different classes of consumers and based on purely economic grounds without regard to political considerations.

The Board after enquiring into the condition of the tin-plate industry similarly recommends for seven years a reduced protective duty from Rs. 25 to Rs. 45 per ton and it has ruled out the suggested discrimination of duty in favour of Wales since it is with the Welsh tin-plate that the Indian product has mainly to compete.

The Board's recommendations are all unanimous and the report is signed by Mr. Girvan and Messrs. Matthal and A. E. Mathias, members.

#### Govt. Action on the Board's Recommendations.

On or about the 17th January the Government of India published a Bill providing for continuance of protection to the steel industry in British India and formally repealing the 1924 Act. This Bill gives effect to the main recommendations of the Tariff Board recently published after a statutory enquiry. The protection is by means of increased duties on imports and not by grant of bounties on production and it will have effect for seven years from the 1st April, 1927, to the 31st March, 1934. It is made clear, however, in the preamble and in clause 3 of the Bill that the limitation to seven years is applicable only to the rates of duty and not to policy of discriminating protection itself. The Bill provides for a statutory enquiry in 1928-29 in order to ascertain what amount of protection may still be necessary and the manner in which it would be conferred.

Following the Board's recommendations the Bill provides for the imposition of differential rates of duty on certain iron and steel articles, with a basic duty in case of articles of British manufacture and an additional duty in case of those of non-British origin. The Bill also gives effect to two recommendations of the Board made in earlier reports. Both are closely connected with continuance of protection to the steel industry. The first is removal of the duty on unwrought zinc. The main object of this change is to reduce the cost of manufacturing galvanised sheet and consequently the amount of protection it requires. The second proposal is reduction of duty on block tin from 15 per cent. *ad valorem* to Rs. 250 per ton, which has already been approved of by the Indian Legislature by resolutions passed in February, 1926. Both these changes, namely, removal of duty on unwrought zinc and reduction of duty on block tin, will not be subject to the seven years' limit.

The existing protective duties on wire and wire nails are continued, but the Government announced their intention of bringing before the Legislature in the Simla session proposals for a continuance or modification of these duties.

#### Adjournment Motion on Currency Bill.

Next day, the 8TH FEBRUARY, soon after the House re-assembled, the President announced that he had received an adjournment motion from Mr. S. Srinivasa Iyengar raising the question of putting off the Currency Bill till after the Railway Budget had been disposed of and the general budget had been presented. The President said that the decision was announced only the day before and it was *prima facie* in order, but he would like to hear objections.

The Home Member submitted that the chair should watch very jealously whether the business of the House should be allowed to be disturbed very frequently. The Government had a right to determine its own business and if it did not follow the wishes of the House, it would prejudice its own case with the House. He submitted that the matter was not urgent and was barred by rules as it would be anticipating the debate on the Bill.

Sir Purushottamdas said that the motion of adjournment had the strongest case ever made out and was a matter of urgent public importance, particularly as the Railway Budget was coming in the third week of this month and the ratio would make a difference of a crore in expenditure,

The President said that the chair was unwilling to accept an adjournment motion until a clear case had been made out. It did not lie in the mouth of the Government to say that the matter was not of urgent importance as he thought its importance and urgency had been admitted by the Government in considering this question at the meeting of the Executive Committee. He accordingly held the motion in order (applause from opposition benches) and fixed 4 p. m. for its discussion.

#### Amalgamation of Oriya Tracts.

Mr. Nilakanta DAS then moved for the taking of immediate steps for putting or publishing schemes of putting all Oriya-speaking tracts under one local administration.

Pandit Nilakantadas said that an amalgamated one administration would be conducive to the interests of the people. He gave a short history of the agitation to bring the Oriya-speaking people under one administration and also how Orissa came to be attached first to Bengal and then to Bihar. He recalled that under the Hindu Raj and also the Moghul Rule, the Oriyas' identity was recognised, but it was under the British Rule that their Zamindars were sold away for paltry sums to the people in Calcutta who were absentee landlords. If Assam with practically the same population and without a High Court and without a University could be constituted into a Province, why not the Oriyas have an exclusive province? However, as long as the Oriyas were not brought under one administration, he would keep an open mind on the question of the province they should be part of. He would prefer to be part of Bengal rather than wash the fields of Bihar. But even if Government in the last resort asked them to agree to all the Oriyas being put under Bihar, they would accept it, but with a hope in the future of trying their luck for an exclusive province for the Oriyas.

Mr. Gaya Prasad Singh wanted the issue to be clear and moved an amendment urging the amalgamation of the Oriyas with the present Orissa division of the Province of Bihar and Orissa and quoted from Messrs. Phillip Duif's report in support of his proposal. Orissa was backward and suffered from chronic starvation and would do well to remain with Bihar, but if the Oriyas wanted to go out of Bihar, the Biharis would bid them regretful but cordial farewell.

Mr. Ranga Aiyar's amendment urging the redistribution of the provinces on a linguistic basis was ruled out by the President as materially widening the scope of the original resolution. Mr. Ranga Aiyar quoted Mr. Lionel Curtis, the fore-runner of the Montford Reforms, that the aim should be the constitution of small provinces and all conditions laid down by Mr. Curtis were fulfilled by the Oriyas. They would not have a federal India on which Sir Frederick Whyte wrote at the request of the Government of India without a redistribution on linguistic basis.

In winding up the debate, Sir Alexander Muddiman said: If it was intended to group Oriya-speaking tracts into a separate province, then it required far greater enquiry and closer scrutiny than had been so far made. He was in great sympathy with Oriya-speaking tracts maintaining their own traditions and civilisation. With regard to the suggestion that Ganjam District should be transferred from Madras Province to Bihar and Orissa, this involved referring the matter to the Bihar Council not as to "desirability of the transfer, because it was to be decided by the Gov. A of

India, but of the financial and administrative aspects of the question. He admitted that the present arrangements were not altogether satisfactory. Personally, he thought that if after financial investigation, it was found that the tracts could be conveniently transferred to Bihar and Orissa, he would transfer them. Concluding, he said that the efficiency and convenience of administration would be the determining factor and if it was found that these two factors did not come in the way, the matter would be sympathetically considered. He, therefore, asked the mover to withdraw the resolution which along with the amendment was withdrawn.

#### Administration of Santhal Parganas.

Kumar Ganganand Sinha then moved withdrawal of Santhal Parganas District in the Province of Bihar and Orissa from the operation of Section 52-A and 71 of the Government of India Act of 1919 and the amendment of the Schedule Districts Acts of 1874 so as to omit from it Santhal Parganas occurring in part 3 under the head "Scheduled Districts, Bengal, of the first schedule of the Act."

Mr. Ramnarayan Singh moved an amendment suggesting the exclusion of the Districts of Sambalpur and Santhal Parganas from the operation of Section 52-A and 71 of the Government of India Act. He drew attention to the fact that either the Governor-General or the Governor of the province had very little or knew very little of what was going on in these Districts. It was the Collector who was really a ruler and gave examples of what the speaker called petty tyrannies of local administration.

Mr. B. Das suggested an amendment to the above amendment urging the inclusion of the District of Angul and withdrawal of Section 71 of the Government of India Act. Messrs. Nilkantadas, Gaya Prasad Singh and Sidheswar Sinha spoke in turn up till four o'clock in support of the motion.

#### The Adjournment Motion on Currency Bill.

Mr. Srinivasa IYENGAR moved his adjournment motion at 4 p. m. Mr. Iyengar found no reason why the Finance Member did not keep to his promise. Last August the Government wanted to take the country by surprise and rush the Bill, but when the Assembly postponed it more currency experts than Sir Basil imagined sprang up. Sir Basil dropped the Bill as something hot. As the ratio would affect the expenditure in determining the supplementary estimates, the Government must come forward with the Currency Bill at once. The main purpose of the delay seemed to him to force the Assembly to accept the Finance Member's ratio. He, however, submitted that the ratio should be determined in the permanent interests of the country and that Budget considerations should not be brought in.

Mr. JAYAKAR supported the motion. He accused the Government of flagrant breach of the promise of August last. The Finance Member had told them that the members would have an opportunity of discussing the Bill in a calm and cool manner and on its merits.

Sir Basil Blackett:—Will the Hon'ble Member actually quote "me" ? Mr. Jayakar said this proposition was put forward by Mr. Rangachariar and practically endorsed by the Finance Member. A small bird whispered into his ear that Sir Basil wanted to follow the policy of divide and rule and place the members on the horns of a dilemma by setting up the

provinces favourably treated in respect of the remission of contribution against provinces not so treated.

Sir Basil BLACKETT was pleased that the motion passed through narrow meshes and was allowed by the chair as he was thereby enabled to dispel the prejudice. The Government were entitled to bring, in the interest of India, the exact bearing of the ratio on the budget figures. The policy of remission of provincial contributions was laid down by the House and whatever the Government would do in this matter, it would not be influenced by what the House did to-day. He heard the charge of trickery and he asked what all this excitement meant, whether it foretold that the House was being looked into expressing a final decision in blissful ignorance of some important consequences that the advocates of 1s. 4d. were so desperately afraid of discussing—the ratio in the light of relevant facts and figures. (Official cheers). He admitted the need for early discussion but there would be no serious damage done in the interval to the country by justifying the adjournment motion. It was not challenged that the adoption of 1s. 4d. would have disastrous consequences on the budget. (Voice : No. no).

Sir Purushothamdas THAKURDAS said : Ever since the 25th ultimo when the House came to know that the Finance Member wanted to take advantage of something in the budget, the House did not want that the artificial support to that ratio should be made available to the Finance Member. (Sir Basil Blackett and Official Members : "Why?")

Sir Purushothamdas Thakurdas : "Because the ratio is not to be for one budget but for 50 budgets. (Applause). Are you prepared to guarantee that under 1s. 6d. there will be no more deficits after you leave India or are you anxious to balance the budget in your period of office irrespective of the deluge that may follow when you have left? What the country wants is a correct ratio. (Applause). I say the Finance Member having wasted 16 million of gold resources of India, he (Finance Member) is afraid of coming before the Assembly without an extra present, however, short and temporary it may be." Was it not a fact that never in the history of the Indian legislature had any other bill been allowed to intervene till the House had discussed and disposed of the Finance Bill? By putting the bill on the 7th March the Government was stampeding the Assembly.

The Finance Member : "No, Sir,"

Sir Purushothamdas : What is the good of saying "No.". That is what you are doing. Sir Purushothamdas further asked whether a commercial budget like railways could be treated properly when the ratio would make a difference of a crore and a half in the railway revenue and capital expenditure.

Mr. Jamnadas MEHTA said that the Government was blowing hot and cold in the same breath. In August last Sir Basil wanted the Bill to be considered "now and here". To-day he said, "there is no harm in considering the Bill after a month." This was an insult to the intelligence of the Assembly. If you regard the Bill as a matter of permanent importance, then you should allow us to discuss it now.

Sir Basil Blackett :—Hear. hear.

Mr. Jamnadas Mehta : You say "hear, hear," but all the same you are deaf. (Laughter.) You want us to settle the ratio question in the



light of the figures of a single budget. This is an unnatural method of deciding the ratio problem.

Mr. Srinivasa IYENGAR, replying, said he was thoroughly unconvinced by the arguments of the Finance Member. The plea of budget figures was unreal for, irrespective of the budget, the Government had accepted 1s. 6d. and once the Government pronounced its decision it never changed it even if it knew it was wrong. (Laughter). The Home Member's statement promising consideration was ambiguous.

The Home Member: If the Hon'ble Member suggests that when I made that statement I had made up my mind, he is saying what is not true.

Mr. Srinivas Iyengar accepted the contradiction. He challenged the Government's right to determine the course of business altogether independently of the wishes of the House.

Sir Basil Blackett was glad to hear on the authority of the Congress President that his Party would vote on the ratio on its merits and that the press announcements that the Party had already decided to vote for 1s. 4d. on political grounds was untrue. The Finance Member admitted that the House must vote on the permanent ratio, but its effect on the budget could not be slurred over and a clear idea of its effect on the next budget and succeeding budgets could not be had till the budget was presented.

At 5-30 division was called and the motion was carried by 52 against 45 votes amidst loud cheers from non-official benches. The House then adjourned.

Next-day, the 9TH FEBRUARY, the Assembly devoted its sitting to vote 23 supplementary demands for grants. References were made during the discussion to the difficulty caused by the ratio controversy and there was an interesting debate on a token cut raising the question of aviation.

#### Demands for Excess Grant.

Sir Basil Blackett first moved the demand for the excess grant of over Rs. 14 lakhs under Posts and Telegraphs for the year 1924-25. He did not think it desirable to go into technical details and explain to the House the reason for bringing forward this demand. The position was fully examined by the Public Accounts Committee.

After a short discussion demands for excess grants for 1924-1925 charged to revenue under the heads Posts and Telegraphs, Survey of India, Archaeology, Education, Civil Veterinary Services, Census, Joint Stock Companies, Superannuation Allowances and Pension Refunds were all agreed to. The Congress members cried "No" on all these demands, but did not press their opposition to a division.

The House then proceeded to vote supplementary demands for grants.

#### Aviation Expenditure.

About eight supplementary grants were voted. When a supplementary demand for Rs. 9,96,000, in respect of aviation for the year ending 31st March 1927 was put, Pandit H. N. Kunzru moved its reduction by Rs. 100 to elicit certain information from the Government. Firstly, he asked whether civil aviation in India was to be developed through private enterprise or by the Government as was being done in the case of railways, telephones and telegraphs; secondly, whether the Government proposed to put a clause in the agreement which they would come to with a private company which

would carry on civil aviation that after a certain period it would be taken over by the Government; and thirdly, whether the Government would accept the principle of giving employment to Indians in air service. These matters were not clear in the memorandum which was supplied to him. He was anxious to see that this demand which involved a question of policy should be thoroughly discussed by the Assembly. He, therefore, suggested that this demand should be brought up along with the budget.

Sir Purshottamdas Thakurdas as a member of the Standing Finance Committee that recommended the matter being put before the Assembly urged the postponement of the debate on this demand, firstly, because the issues involved were very serious, and secondly, some members were not in possession of the memorandum and they must weigh all facts fully because expenditure would in future very likely go up to Rs. 25 to Rs. 30 lakhs.

Mr. Chetti asked whether discussion could be conducted without the House being supplied with a memorandum.

The President said this was not a point of order. The remedy lay in the members' hands by postponing discussion.

Sir B. N. Mitra assured he had not the slightest objection to adjournment and could, if the House wished, reply to the points raised by Pt. Kunzru. The discussion was, thereupon, adjourned unanimously and the House agreed to all the remaining demands for grants. Only in respect of stationary, Mr. Jannadas wanted to criticise the Calcutta Printing branch for not supplying books but the President ruled it out of order. The House then adjourned.

#### Administration of Santhal Parganas.

On the 10TH FEBRUARY, the House reassembling, discussion was resumed on Kumar Ganganand Sinha's resolution urging the withdrawal of Santhal Parganas Districts in Bihar and Orissa from the operation of sections 52(a) and 71 of the Government of India Act 1919.

Sir Alexander Muddiman said that under section 52(a) sub-section 2 of the Government of India Act, powers of the Legislature were limited with regard to putting into effect any law. He wanted a ruling from the Chair whether the Assembly could discuss the amendment of Mr. B. Dass which wanted exclusion from the operation of Section 52 of the Act and not 71 thereof.

The President ruled that the Assembly could discuss the amendment which was perfectly in order.

The Home Member referred to Santhal Parganas and paid a handsome tribute to the services of Augustus Cleveland who at the age of 29 turned the dangerous border into a district with peace and prosperity as was described on his memorial. Cleveland was one who, without bloodshed or terror of authority, employed only means of conciliation and conquered the entire population of Santhal Parganas and brought them to appreciate the arts of civilised life. After the death of Cleveland, the administration there was conducted much on the lines laid down by him. What struck one most was how greatly the administration in this part depended on particular officers stationed there.

The Home Member, continuing, said that the Santhals have very strong indigenous system of village organisation and headmen were still powerful. High middle class Hindus were only 15 per cent of the population, the rest

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being low class Hindus. While Santhals were quite happy, it seemed to him that this resolution has been brought up in the interest of emigrants who would or could not get lands in these Parganas as they did in other administered districts. Sir Alexander Muddiman added that the fact was historically proved that whenever it was attempted to introduce ordinary law, there was unrest among Santhals. It was so in 1855 and in 1871 and there would be unrest again to-morrow if they affected the landlord of the Parganas to the detriment of original inhabitants.

Mr. Srinivasa Iyengar, supporting the motion, expressed his surprise that even after three quarters of a century of British rule, the people were held in Arcadian simplicity. If it was a backward tract, then it was monstrous to suggest after the lapse of so many decades that people should continue to remain what they were. To imagine that by bringing any area under the regulation, disturbances would arise was a very sad commentary on the system of British rule. Did the British Government want to keep these richly endowed tracts deliberately as backward tracts, in order to show that India was a land of different levels? "Egregious failure" would be writ large on the forehead of the existing system by imperial posterity.

Dr. Moonji, supporting the motion, explained the defects in criminal law and asked whether these laws contributed to the good of the people and what harm there would be if they were changed on the lines of the law in the rest of India. Much had been said of the administration by good officers. If the whole of India had been governed by good officers like, for instance, Sir Alexander Muddiman who was a very good man (loud laughter), there would perhaps have been no need for the Assembly and Councils. The people of Bengal have been so much accustomed to terrorism that they would not in the least mind terrorism for Santhalese if there was introduced in their administration.

Sir Purushottamdas Thakurdas said the days of securing peaceful, permanent domination of British rule were past and the ideal of officers of Government should be to progress towards making self-respected and contented citizens. The Home Member's speech was a confession of failure of the British Government. He would ask whether the policy of keeping out Indians from Santhals was the same policy that was being adopted against Europeans. He told Mr. Shamnarayan Singh that he would rather not develop coal mines than deprive the Santhalese of the chance of progress for that reason. It was the clear duty of the House to vote for the resolution.

Mr. Donovan was cheered as he rose to intervene. He said that personal experience of the Parganas was on the official benches. He for one knew the people in the western districts of Bengal Presidency during the last twelve years. They were a hard-working, sturdy race doing harvesting for zamindars and landlords in Bengal districts but the Santhalese had never been able to hold themselves against these people. The mover of the resolution, it appeared, wanted reform in administration not so much for the Santhalese but for another race of pleaders; for, who did not discern the anguish in his mind and in his face when Mr. Gangananda Sinha deplored the paucity of pleaders?

Mr. Gangananda Sinha: What I said was that it was because of the defects in the laws that the people were not obtaining justice.

Mr. Donovan: What is the good of having pleaders or engaging pleaders when the average annual produce per head was nine maunds?

Mr. Rangaswami Iyengar: What is the good of the Anglo-Indian Nawab?

Mr. Amarnath Dutt: Save him from the spleen being ruptured.

Mr. Rangaswami: What good is justice to the poor man?

Mr. Donovan: Only the man who could engage a pleader could get justice as against a man who could not.

Mr. Rangaswami: Hardly a compliment to you, gentlemen.

Mr. Donovan: In my view there should be more special laws.

Mr. Rangaswami: Martial Law and no damned nonsense.

Mr. Donovan: The people in Santhal Parganas are guileless innocents under the mercies of money-lenders. The only way you can help the Santhalese is by Co-operative Credit Society movement. The mover will have an opportunity to show his practical sympathy for Santhalese on the 7th March when the Currency Bill comes up.

Dewan Chamanlal said as he heard Mr. Donovan, he felt tempted to collect all handkerchiefs on Swarajist benches and run to wash the tears flowing on his cheeks from the feeling for the Santhalese. (Laughter). A pleader could enter the Parganas even now to argue cases of value of over Rs. 1,000.

Mr. Donovan: How many of the Santhalese possess Rs. 1,000?

Mr. Chamanlal: If they don't, it is because of your damnable system of administration. As for the system of slavery which you complain exists there, what have you been doing all these years of paternal Government? Mr. Chamanlal next quoted a case where the Magistrate remarked that the son who inherited father's property should also be punished for the offence committed by the father.

Lala Lajpat Rai did not mind Mr. Donovan's speech, but was surprised to hear arguments from a seasoned statesman like the Home Member. If the British system of administration could not be extended to Santhals, then the British could clear out of the Parganas bag and baggage and leave those people to their own system of Government.

The Lala asked why one policy was applied to Indians taking lands in Parganas while tracts were cleared for plantation and other purposes when the European wanted them, and the native of the land was turned out? (Hear, hear.) If the Home Member believed in his arguments, why did he not extend to the frontier Council Government? People of the frontier were also backward, brave, simple and dreaded money-lenders, but in this case it was imperial purpose that was to be served. Indeed, the official benches, arguments appeared to him nonsensical. If the Santhalese had not the right of occupancy, then the remedy was change of law in Bengal but not keeping the Santhalese backward. The arguments used were those that appealed to all despots.

Mr. Joshi said that he was neither a lawyer nor a money-lender. Therefore his desire for the Santhalese being given civilised form of Government was not influenced by any professional considerations. It was said that the Santhalese were kept under special regulations because the majority of them were uneducated, that it was intended to keep them away from the clutches of money-lenders, that outsiders would dispossess them of their land and that they were addicted to the use of liquor. He asked whether

the Government had taken any steps to remedy any of these state of affairs. Why did not the Government educate them, bring special laws to eradicate the drink evil or pass laws to save the people from money-lenders and stop encroachments on their land? What was the good of using these arguments when the object was suppression? Under the present circumstances, it was only fair that the Santhalese be given the ordinary form of Government.

Mr. ANEY pleaded for the inclusion of Sambalpur under civilised laws. He could not find any justification for the exclusion of this district when Mundla which stood on a par with Sambalpur was included in the C. P.

Kumar Ganganand SINHA, replying to the debate, quoted from the speech of the Hindu Minister, Bihar and Orissa Government, who said that the peculiarity of the position lay in that the law applied not to men but to land. The unanimous feeling in Bihar could be judged from the fact that the entire non-official element of the Bihar Council including the ministers solidly had voted for the proposition he had advocated.

The House then divided and by 50 to 40 votes passed the resolution as amended by Mr. B. Das for bringing about the withdrawal of special laws from Chota Nagpur Division, Districts of Angul, Sambalpur and Santal Parganas.

#### Enquiry into Indian Banking.

Mr. S. N. HAJI next moved for a commission consisting of a majority of Indian members with an Indian chairman to examine the position of Banking institutions, facilities and conditions in India and make recommendations for their improvement and expansion with particular reference to provision in adequate appropriate form of capital or finance necessary for the development of industries and agriculture in India. Mr. Haji, at the outset, explained that his resolution was more or less in identical terms with that passed by the Indian Industrial and Commercial Congress in Christmas last at Calcutta. His idea was not to restrict the scope of the Commission to industrial and commercial spheres only. He was prepared to include co-operative bank as well. Want of communication between capital and industries of the country had been so remarkable that it was drawn attention to at almost every Industrial Conference. Resolutions moved by Sir B. N. Mitra in 1919 in the Imperial Council and Prof. Kale in 1923 in the Council of State were practically agreed to by the Government, but no committee was appointed. The matter was, however, raised by the External Capital Committee which had now strongly pleaded for an all-India survey into the banking conditions after ascertaining the opinions of the local Government and publicists. These opinions having been received and published a few days ago, now was the time for instituting an inquiry. If further proof was needed for this enquiry, there was the report of Hilton Young Commission which had said that recommendation regarding Reserve Bank would be fruitful and the super-structure of the scheme lasting only if there was proper foundation laid for banking throughout India. But what was the position? India could boast of only 315 banks, while Australia had 2,000, Canada 4,000, Japan 6,000 and United Kingdom 9,000 and the United States 35,000. The number of exchange banks in India had increased during the last ten years from 11 to 18 dealing now with 71 crores of rupees while joint stock companies handled deposits of only 52 crores. Moreover, there was hardly any industrial bank worth the name. The indigenous bankers had been ignored by the Government and the indigenous banker was the one banking asset in this

country, to quote the language of the External Capital Committee. Some scheme should be devised to co-ordinate the activities of indigenous bankers.

Concluding, Mr. Haji reiterated the language of the resolution for a Commission consisting of an Indian majority with an Indian chairman in order that the out-look of the commission might be national, although the Government could appoint experts from England or any other country to help them.

Mr. V. K. A. IYENGAR, an official of the Finance department, who was the Joint Secretary to the Currency Commission, quoted from the opinion of an expert witness before the Committee, that a Central bank was the best means of establishing a money market and without it a money market could not be properly developed. This was his reply to those who wanted banking facilities to precede the Reserve Bank. The American crisis of 1908 in this respect was an eye-opener. When he was gazing from the corridors of the train at the lovely fields of France, the President of the Commission, on being asked what he was thinking of, replied that if India would have what his Commission was giving them, their labours would be a better land to live in. The Reserve Bank Bill introduced recently was the fruit of the Commission. This bank would get into touch with banking and co-ordinate policy in regard to control. The Government of India were also collecting statistics of various indigenous banks in India. The Imperial Bank had had to be given inducement to continue banking facilities. It would like to know where it stood in relation to the Reserve Bank and the Indian tax-payer. The Government had already taken the best course in the interest of India by moving for the establishment of the Reserve Bank which would help to develop Indian banking facilities. The resolution of the mover was thus, to borrow Sir Purnohothamdas's phrase, suggesting a most unnatural course.

Mr. Vidyasagar PANDYA wanted not a packed commission like the Hilton Young Commission which had to be boycotted by Southern India—a commission which was concerned more with how Europe would be benefited. He wanted first of all that the Government should change its heart in the matter of appointing commissions because invariably these have been very unsatisfactory. Concluding Mr. Pandya bitterly complained against the Madras Government in giving reply to the request of the Indian Bank for being included among the list of approved banks for investment of funds by local bodies.

Sir Basil BLACKETT admitted the importance of the subject of banking, but there was already the Agricultural Commission covering a portion of the ground of survey. It was impossible for the Government to create banking habit in the people but it was growing and if the habit could grow further then the Government could hope to some extent in improving banking facilities: but the Government of India during the last few years had not been idle in the matter. They had given an immense fillip by war loans to increase the habit of investment and after the war there had been loans raised which were subscribed by the people, all for productive purposes such as railways and irrigation. Moreover, the Government had increased the popularity of Postal Savings banks and cash certificates with the result that there had been a quiet increase in banking habit among the people. The reserve bank would complete the chain of connection between

local bankers and the apex bank. If anything could be done in the way of giving additional liquidity to the resources of these bankers and increasing through them the habit of depositing, then very considerable advance might be made.

On the question of banking education the proposal for an Indian institute of bankers which had been before the country for two years was very nearly an accomplished fact. The British Institute of Bankers had been giving advice and assistance in the matter. The Government were following the recommendation of the External Capital Committee in the matter of changes in the Negotiable Instruments Act. He agreed with the mover that there must be an enquiry but the question was whether it should be by experts or by a small expert committee or by non-experts. It was too early at this moment to appoint an enquiry committee for the Agricultural Commission was already engaged in the investigation of facilities for agricultural banking and such like matters. It was hoped that the Reserve Bank would, through Co-operative Banks, use its influence for advancing agriculturists.

Sir Basil Blackett, concluding, defined the Government's position by remarking that when the Reserve Bank had been brought into existence and the Linlithgow report was available, the Government would establish a searching enquiry into the banking facilities of India and the best means of improving them. He rather doubted whether the House would like to commit itself to the demand for a Royal Commission at this particular moment.

Sir Purshothamdas THAKURDAS congratulated Mr. Iyengar on his maiden speech but remarked that if Sir Basil charged Mr. Pandya of advertising his Indian Bank, Mr. Iyengar had given a little publicity to what was near to the heart of the Finance Member (Laughter). Mr. Iyengar had innocently misquoted the Governor's strong evidence about the development of money market. The reference was for creating a bill market for the Reserve Bank. He wished the Government had done something to bring India into line with other countries. The present banking facilities did not touch the fringe of the masses of India who were served by great banking communities of Marwaris of Rajputana, Shikaris of Sind and Chetties of South India. He regretted Dr. Hyder's wish to see these indigenous bankers diminish. Rather would the speaker advocate that indigenous banking be recognised and healthy check provided over it by giving these bankers facilities so that they charged 7 per cent. The Finance Member need not wait for either the report of the Linlithgow Commission or the Reserve Bank Scheme to initiate enquiry for this purpose.

Further discussion was then adjourned and the House rose.

### The Steel Protection Bill.

On the 14TH FEBRUARY Sir Charles INNES formally moved the consideration of the Steel Bill as amended by the Select Committee. He had kept his promise of letting the Select Committee discuss the whole Bill in its broadest aspect.

The Commerce Member repeated the assurance on the floor of the House which he had given to Mr. Jinnah in the Select Committee regarding the points mentioned in Mr. Jinnah's minute attached to the report regarding wagons and heavy rails.

Mr. Jamnadas MEHTA moved recommittal of the Bill to a Select Committee. He said that the majority report of the Select Committee was really a minority report, (Voice : Question) because the speaker was held up at the Railway Standing Finance Committee. The Select Committee had failed to take notice of the emphatic opinion of this house against imperial preference. It was true that there was imperial preference all round. Occurpents of the benches opposite would not be there but for this preference (laughter) and India was being used as a tool to enslave all countries of the world. This preference was without the consent of the legislature. They could not willingly be a party to this preference. The Tariff Board's proposal, he maintained, was not a sound economic proposition nor did it give adequate protection to the industry. The recommendation, moreover, according to his reading of the report, was based on most speculative plans and would for the first four years be a precarious one. The Tata Company would not be a paying proposition. This policy of just keeping above water was against the policy of generous handling which would bring about internal competition.

Mr. Jamnadas Mehta's third and conclusive objection was that the Tariff Board had gone outside its scope in suggesting duty on continental steel which two-thirds of India used and which Tatas did not at all compete with. Thus without the Tatas benefitting by a rupee users of continental steel would pay forty lakhs of extra cost merely to benefit British steel. The Bill was, therefore, suspicious enough to be sent back to the Select Committee. He advocated the adoption of a scheme of basic duty and bounty which would equally be effective but cheaper and less burdensome. They would under his proposal save the consumer 40 lakhs of rupees by paying 25 lakhs in respect of bounties. This principle of supplementary bounties was proposed deliberately by the Tariff Board themselves. Foreign import of steel was seven lakhs of tons a year, the Tata's produce being five lakhs of tons a year. The Government would get 65 lakhs extra-revenue from imported steel out of which 24 lakhs bounties could be paid easily. On the other hand, merely to benefit British steel and raise additional revenue, the Government would impose 40 lakhs burden on the consumer and also pocket 65 lakhs return from the proposed duty. Why increase by 105 lakhs the Government revenue when production to the Tatas could be more cheaply given by the system of bounty. He read telegrams and resolutions from some parts of the country and from independent sources contesting the Tariff Board's contention against the reliability of continental steel and affirming that exclusion of continental steel would adversely affect the consumer and petty trade and particularly referred to the opinion of Mr. Dogrej that continental steel was reliable and cheaper.

Mr. Shanmukham CHETTI acknowledged the help of the Commerce Member in supplying material facts and figures. He said the policy hitherto pursued had been justified by results. No less than 200 lakhs had been paid in the form of bounty alone. Time had come to take a comprehensive review of the situation. He maintained that all the six alternatives discussed by the Tariff Board assured adequate protection and the difference lay only in the incidence of burden proposed by various schemes. If the Board's scheme was not Imperial preference, why did the Board go out of its way to rebut it. His knowledge of feeling expressed at the Empire Parliamentary Conference in Australia convinced him that the fiscal policy



of neither Australia nor any other dominion was based on Empire. The difference between his scheme and the Government's was that while the former would protect Indian steel against all foreign competitors, the latter gave protection also to British steel against continental steel. It was no use trying to tell the House that Imperial preference was not proposed as it had been deliberately provided that under no circumstances for the next seven years was duty on British steel to be greater than the duty imposed on continental steel. Supposing the position reversed and the continental steel became costly, then this would leave no alternative to cover that development. This was definitely British preference policy. Mr. Chetti finally declared that though he had held that the policy of weighted average proposed by the minority was the best, Mr. Jamnadas Mehta had made out a splendid case for reconsideration by the Select Committee. He had no doubt that the steel industry would develop into a great national asset.

Mr. Arthur MOORE supported the motion for recommitment of the Bill to a Steel Committee. He regarded the Taras as an insurance against war and must be protected. It was significant that in South Africa the Steel Bill was in charge of the Defence Minister. They wanted to protect but also wanted to know the cost of protection. He was surprised that every time the Tariff Board reported it recommended a new scheme. In 1924, they proposed a system of weighted average and in 1925 a bounty scheme. The speaker favoured keeping on to the bounty scheme or going back to 1924 system of weighted average. He was surprised that the Tariff Board should have argued that considerations of public safety required the exclusion of soft steel. This was the business of engineers and customers and not of the Tariff Board or of the Government. Such arguments should not be used in a scientific examination of the subject. If the Tariff Board consisting of Indian personnel had recommended imperial preference, he would have welcomed it: but they were told that it was a question of cold economics. Had any consideration been paid to the growing stability of the mark and the franc and other continental currencies? When the customs authority imposed duty on the basis of the country of origin, it was preference, not protection. (Hear; hear). "We cannot surreptitiously do this. I am convinced that India and Great Britain, at any rate India and Lancashire, can ultimately come to an agreement against unfair foreign competition. For the sake of this puny and equivocal proposal, let us not interfere with that prospect. I would ask the Government to be mindful of the future and think of the issue before us to-day in that light."

Mr. G. D. BIRLA congratulated Sir Charles Innes in being able to capture the leader of the Independent Party in this matter. England also manufactured non-standard steel and yet that product, because it was British, was recommended for a lower duty. On continental non-standard steel, the consumer was compelled to pay a larger price. Thus, even on economic grounds, the Bill was very unsatisfactory. Semi-finished continental articles had already to be used by Britishers and Sir Charles Innes, in a note supplied to the Select Committee, had admitted the danger and that rejections had found an outlet in preferential markets of the United Kingdom. By making India one of such markets, they would make Britishers dump.

Sir Charles INNES was applauded by official benches as he rose to reply. He said that the issue really was whether the Bill should be sent back

to a Select Committee. Mr. Chetti's minute was temperate, but that of Mr. Jamnadas' exuberant. The reason was that the latter was not present at the Committee's meeting. Both Mr. Chetti and Mr. Birla were not enthusiastic about Mr. Jamnadas's proposal. When Mr. Chetti's amendment came before the House, they could discuss it on merits in the light of criterion laid down by the House that a scheme of protection should be consistent with the well-being of India. Touching Mr. Jamnadas's arguments, the Commerce Member admitted that the Board's scheme was speculative; but it had to be so in view of the fact that it had to take a long seven years' view of the situation so that fresh capital may be attracted into the industry. The Tariff Board was a highly expert body and the estimates produced by its eight months' enquiry were the best that could be had and Mr. Jamnadas, even though he calls them speculative, had used them. As for the precarious position of the Tatas, the Board had made a greater examination than Mr. Jamnadas.

Proceeding, Sir Charles Innes explained that when bounty was given to the Tatas for two years, it was to save that company. It was given to only one company now. However, they were trying to work out not for two years, but for seven years and therefore bounties would be an unknown liability while the source of income to pay for bounty would certainly go on drying up. Secondly, there would be definite discouragement to fresh capital coming into the industry under the scheme of bounties. Then again Mr. Jamnadas proposed excessive protection of five rupees per ton while, under the Tariff Board's scheme, the Tatas could vary their production according to the requirements of the market.

Concluding, Sir Charles Innes put it to the House whether it was not impossible for fourteen to fifteen amateurs now to sit down and try to work out details of the bounty scheme. They would have to refer the matter back to the Tariff Board who would raise numerous objections and if the Government proceeded with Mr. Jamnadas's scheme it would have no expert authority behind it. Then again, the state of business was congested and there would be confusion if they were found on the 31st March to be without legislation to follow that already on the Statute Book. "We have as the House is aware done our best to make effective the policy of protection of this industry. I would urge the House to be most careful to voting for a proposal which gravely imperils the future of the industry."

Further discussion was then adjourned till Wednesday the 16th February.

#### Indian Registration Act Amendment.

Next-day, the 15TH FEBRUARY, the House met to transact non-official business. After questions Mr. C. Duraiswami Iyengar moved that the Bill further to amend the Indian Registration Act 1908 be referred to a Select Committee with instructions to report on or before the 1st March 1927.

Mr. Dunnett pointed out certain legal and administrative difficulties which will arise if the principle of the Bill was accepted.

Sir Hari Singh Gour moved the circulation of the Bill to elicit opinion to which the House agreed.

#### Indian Succession Act Amendment.

Maulvi Mahomed Yakub next moved that the Indian Succession Act Amendment Bill be referred to a Select Committee. The object of the

Bill is to provide whether certificate can be applied for or granted in respect portion of a debt. It is intended to give effect to the Calcutta High Court's view.

Sir Alexander Muddiman, in moving for circulation of the Bill to elicit opinion, said this was not an urgent matter. There were conflicting decisions which must be given further time for consideration by the public.

Mr. Yaqub agreed to the circulation which was agreed by the House.

#### Societies Registration Act.

Mr. Kelkar moved for the second reading of the Bill amending the Societies Registration Act with a view to include political bodies and associations.

Mr. Kelkar paid a compliment to the usefulness of the Act and instanced its narrow operation by pointing out that the Servants of India Society was refused registration not in one but in two provinces. If Mr. Gokhale had started a society of domestic servants and training for governesses, the society would have been admissible for registration, but because Gokhale wanted the society to train a future governor (laughter) it could not be registered.

Dr. Gour, while agreeing with the object of the Bill, found some technical flaw caused by the ambiguity of the expression "public utility" and moved for a Select Committee.

The Home Member assured he was very anxious for dissemination of political education and desired to help the societies to do that. The object of the Bill, however, he thought, was to help missionary bodies like the Servants of India and others to have a corporate existence to hold property and have other advantages of incorporation. This, he thought, could be secured even now under the Indian Companies Act 1913. Had this been tried? he asked.

Pandit Hirdaynath Kunzru said they had not registered the Servants of India Society under the Companies Act, but it was registered under the Charitable Societies Act. The Home Member agreed to the principle of the Bill. Mr. Kelkar expressed his inability to dispel Dr. Gour's dense ignorance. No self-respecting political body would get itself registered under the Companies Act.

The Home Member, replying, said that he was surprised that any slur should be held to attach to registration under the Companies Act. The European Association and the Religious Catholic Association of South India were, for instance, registered under the Companies Act and they were respectable bodies. Mr. Kelkar's speech had only confirmed his view that instead of looking to the antiquated Societies Registration Act, the better alternative was to register under the Companies Act. He would not, however, oppose the Bill but if he was told by legal advisers that the provisions of the Bill were unnecessary he would take up a different attitude in the revising chamber.

Dr. Gour's motion for a Select Committee was defeated and the motion for second reading was agreed to. When clause 2 was put to vote, Mr. Srinivasa Iyengar expressed his opinion that political associations and societies could not be registered under the Companies Act, that they would prefer a compendious provision of the Societies Act to the elaborate machinery of the Companies Act. A limited company must have a share capital which these associations could not be expected to have. Moreover, there would be complication in their having to submit accounts and having

them supervised. Personally, the speaker was opposed to any political association being registered under the present system of Government but those who wanted to be registered should be permitted by law.

Mr. Kelkar's Bill was then passed without amendment. This is the first non-official Bill to be passed by the third Assembly and that without dissent.

#### Land Acquisition Act Amendment.

Mr. Kelkar also moved for the circulation of the Bill amending Land Acquisition Act 1894. It was intended, he said, to minimise iniquity and consequent discontent which marked the operation of the Land Acquisition Act. He wanted the Assembly merely to bless the measure so that opinions of interested persons and public bodies might be ascertained.

The motion for circulation was carried.

#### Criminal Law Amendment Act.

Sir Hari Singh Gour moved the consideration of his bill to amend and repeal the Criminal Law Amendment Act, 1908. He recalled the history of the case. It was Mr. Patel now in the chair who first unsuccessfully moved the old Imperial Council and was followed by Mr. Sastri in the Council of State in 1921. Sir William Vincent, then in accepting the motion, stated that by that Government prestige would enhance and not go down. This, Sir William added, was the effective reply to the critics that the Reforms were sham. He hoped that the present Home Member would reciprocate those feelings. The Repressive Laws Committee's report was then accepted by the Government en bloc but effect was not given to them fully. Both Mr. Patel and the mover brought forward motions repealing the Bills which, though passed by this House, were rejected by the Upper Chamber but they were not daunted and he had come to the new Assembly to make it express its view on the subject. Any local Government could declare any association unlawful and there was no judicial check and a person who was a member of that association would be simply handcuffed and sentenced. "What country, I ask, subordinates its judiciary to the Executive in the manner it is done by part 2 of the Criminal Law Amendment Act of 1908?" His bill was a diluted measure. It did not proposed total repeal and met all reasonable objections of the Government. It gave the right of appeal to persons convicted under this special law. It did not modify the executive powers relating to non-British subjects and merely extended protection of the Habeas Corpus Act to British subjects.

After a few members had spoken the House adjourned.

### \*The Steel Protection Bill.

Next-day, the 16TH FEBRUARY, after interpellations, the adjourned debate on the Steel Bill was resumed. Mr. JINNAH who spoke first referred to Mr. Birla's remarks on Monday and said he would not take notice of them. The question before them was if really, as alleged by Mr. Jagnadas Mehta and Shanmukham Chetti, the Bill was imperial preference. If it was and if it was against the interests of India, the speaker would be the first to oppose it; but it was not imperial preference. To his mind, imperial preference was imposition of unfairly lower duties on British steel so as to reduce British prices in India. Here it was nothing of the kind. Mr. Jinnah then read the report of the Joint Committee of Parliament on the Government of India Bill and the conditions laid down for the fiscal policy of India by that body which had said that no scheme of imperial preference ought to be adopted which has not behind it

the sanction of the legislature. This, the speaker thought, ought to be made clear by the Government. Continuing, Mr. Jinnah referred to Mr. Mehta's criticism that the measure was speculative in its tendency and remarked that every hypothetical proposition was such. Was not Mr. Jammadas Mehta's amendment suggesting bounties an equally speculative proposition? The truth was that they are embarrassed as it emanated of British imperial preference. He would prove that the so-called preference to British steel was in the interests of the Indian consumer. British steel was now available in India at Rs. 120 a ton as against Rs. 111, the price of continental steel. The latter was due to fluctuations in exchange and severe dumping in India. That was unfair. If they did not impose additional duty on British steel it was not for favouring British manufactures but intended to save India. If they imposed heavier duties on British steel, British steel prices in India would be sold at higher prices which the Indian consumer had to pay. That would mean Rs. 48 lakhs. Moreover, the Tatas themselves who wanted protection only to steel at 12 would further raise their price to the detriment of India, but as soon as continental disadvantages disappeared additional duties on continental manufactures would be withdrawn. If this is the interest of India, said Mr. Jinnah, are you going to oppose it merely because this is preference for the British?

Pandit Motilal: Yes. It is the thin end of the wedge.

Mr. Jinnah: I will have even the thin end of the wedge if it is in my interest. If it is to oppose even when in the economic interest of India, then I stand here alone to support the scheme and you go into the other lobby.

Continuing, Mr. Jinnah said his first point was that 90 per cent of the continental steel that came into India was non-standard and he quoted figures to prove it. Thus on the principle of different qualities they would be justified in imposing differential duties. Secondly, would they not impose duty if it was the case of dumping and unfair competition? The figures showed that continental steel which was dumping had doubled within the last four years. Continuing, Mr. Jinnah said the bounty scheme was condemned because with the growth of industry imports would decrease and with it protective revenue would decrease while bounties would increase. (At this stage Mr. Jinnah was reminded by the Chair that he had already taken an hour and a half and at this rate if dozen other members spoke there was no chance of the Steel Bill being passed by the 31st March.) Mr. Jinnah explained the peculiar position in which he was, for he had to defend the position taken by him against a majority of non-official opinion expressed against the Tariff Board's proposal. A great deal of misapprehension on the subject had to be removed. He agreed that Sir Charles Innes should make it clear that there was no question of imperial preference at all and that the differences between the two scales were due to differences in quality and a desire to secure minimum protection with the minimum burden on the consumer. Every protection must bring additional revenue and it must go into the Government pockets. Where else would it go? He did not want to impute motives but Mr. Birla's objections showed to the speaker that the cry was for the middleman's profit which would be circumscribed under the Tariff Board's scheme. Recommendation would produce no result as the Government could never act without referring the matter back to the Tariff Board if any other scheme was to be adopted. In any case, the House was to decide and instead of wasting time let them decide between the three schemes before them because even if the Select Committee made Mr. Chetti come with a majority, Sir Charles Innes would come up with his amendments.

Pandit Motilal NEHRU said that he would confine his remarks to that part of Mr. Jinnah's speech which related to the question of imperial preference. He said: "If it is true that the scheme of the bill involves the principle of imperial preference or of the principle of conceding preference to Britain, then I may say here and at once that whatever the developments of the bill, whatever the boon to the Tatas, I have absolutely no sympathy with the bill. So long as Britain is favoured against any other country of the world, I say it is preference. Now it is only a question of Britain being entitled to better terms on account of supply of better goods, but what would happen when she sends out cheaper goods? By this process she would exclude other countries from Indian markets. Is not this the thin end of the wedge?" He had no faith in the Government statement that the bill did not amount to imperial preference. He was as a rule a great disbeliever of assurances from official benches. He agreed that additional duties were imposed with a view to protect the Tatas, but the bill also imposed a discriminating duty on continental goods in the interests of Great Britain alone. He instanced the case of Madras and Bangalore where the Tatas' goods had not reached and would not reach for a long time to come where under this bill British goods alone were to benefit. There

fore, the bill would operate at least in some great ports of India as protection to British goods and would have nothing to do with the protection of the Tatas. If once the principle of imperial preference or of preference to Britain was recognised, it would be impossible to get rid of it. He, therefore, suggested that the bill be recommitted to the Select Committee for consideration.

Sir B. N. MITRA emphatically declared that the House was not being asked to vote on imperial preference. They had sufficient data before them to come to a definite decision. His reply to Pandit Motilal Nehru was that the Tatas would have gradual access to the parts where now they did not compete with continental steel. Sir Charles Innes had not uttered a threat; but having a special interest in the industry, the Commerce Member had spoken the language of a plaint. The speaker had visited Jamshedpur and had not found labourers so well looked after in any other industrial centres as at Jamshedpur. He warned the House against any action which would break up this happy colony.

Mr. JOSHI said Mr. Jinnah had thundered for long. There was in it more sound and fury than arguments and the dust raised had clouded the issue. He opposed the Bill as he did not want the Government of India to have any financial benefit out of the scheme of protection. He urged the nationalisation of the industry or failing that payment of a bounty from increased income-tax; but the House was not democratic enough to entertain them. He would least of all have preferred a scheme of combination of duties and bounties. Labour at Jamshedpur was not as happy as Sir B. N. Mitra had painted it. Housing conditions were still backward. He was for recommitment.

Mr. M. R. JAYAKAR confessed that the Bill was not imperial preference in the sense that the same quality of British steel as the continental was preferred; but there were two or three elements which gave away Mr. Jinnah's case. For instance, the Tariff Board had taken it for granted that British steel prices were unalterable, while continental prices were always alterable. By what process of sifting of evidence, this conclusion was arrived at he could not say. Then there was cheap mild steel which was not supplied by the Tatas and still even that commodity was subjected to this imposition. In other words, they said to the consumer:—"If you want continental steel you shall pay a higher price." Continuing, Mr. Jayakar averred that this dictum was not only penalising the Indian consumer, but was also strangling many an infant industry depending for its raw material on the continent. Proceeding, Mr. Jayakar referred to Mr. Perin's interview to a Bombay paper where he made no secret of the fact that this Bill was nothing short of imperial preference. Mr. Perin, said Mr. Jayakar, was a great engineer of undoubted ability and experience and his expert view could not be rebutted even by the opposition benches.

Proceeding, Mr. Jayakar said that he could understand the people asking for imperial preference in Empire interest; but then it was a case of "Heads you win and tails we lose." The Empire burdens were shoved on India's head, but privileges were denied. It was for respectful members of the Empire to put forward this plea and not for India. Mr. Jayakar concluded with a reference to the numerous telegrams and representations from affected merchants and consumers to the Commerce Department of the Government of India protesting against this unfair preference shown to British goods to the detriment of Indian consumers.

#### Motion For Recommitment Lost.

It was now 4 o'clock and the House accepted closure of the debate and dividine on Mr. Jinnadas Mehta's motion to recommit the Bill to a Select Committee rejected the motion by 61 votes against 50 amidst official applause.

#### Bill Taken into Consideration.

The House then took the Bill as reported by the Select Committee into consideration.

Mr. Shanmukham CHETTI now moved his amendment and replied very briefly to the salient points by Mr. Jinnah. He said the scheme propounded in the minority report was a qualified system of protection and whatever disadvantage there was in it, it was more than counter-balanced by the lower quality of continental steel. They must arrange their tariff in such a way as not to penalise the consumer of continental steel. Under the minority scheme consumers of continental steel would be under a distinct advantage. The

BH was seeking to give protection not to Indian steel but to British featured steel.

Sir Charles INNES, in replying on behalf of the Government, said he was not asking the House to accept a general scheme of imperial preference nor anything which was against the economic interest of India; but he was only asking the House to accept the recommendation of the Tariff Board, which the Government was convinced was in the best interests of India. He saw the force of the argument that this would be discriminate protection; but there would be no serious difficulty in making discrimination. This would give Indian steel adequate protection and help the economic well-being of India. Proceeding, Sir Charles Innes said the Assembly would unnecessarily hamper the development of industries if they unnecessarily raised the value of standard steel. India did not infringe in any way the most favoured nations treatment if she showed preference to British steel but continental steel was non-standard steel and was not safe to be used on bridges. So, excepting the fact that the Government scheme made differentiation as regards the origin of produce, there was no other objection. He pointed out that by lowering the duty on British steel, they would not bring one single ton of British steel more than at present. On the other hand, they would be indirectly encouraging continental steel to come in at a lower rate. The Government scheme was more favourable to encouraging the Tata's industry and more favourable to the consumer than the scheme proposed by Mr. Chetti.

Further discussion was adjourned till Friday the 16th February.

## The Railway Budget—16th February 1927.

On this day Sir Charles Innes presented the third Railway budget under the scheme of separation of Railway budget. This was also his last budget. He had the ear of the House for half an hour as he summed up his tale ending with a feeling of sober optimism that estimates for the next year may not be again belied by circumstances beyond human control and that the course of events may be more even. He was applauded by all sides when he resumed his seat.

The following is the speech of Sir Charles Innes, the Railway Member, in introducing the Railway Budget of the Government of India for 1927-28 :—

I rise to present the Railway Budget for 1927-28 and I confess that I do so with a certain sense of embarrassment. For, after having made one farewell speech on the Railway Budget, it is awkward to have to make another. I can only plead that my predicament is not one of my own seeking, and for that reason I feel that I can claim the sympathy of the House.

2. As usual, the Budget which I am presenting is not merely a departmental compilation. In preparing it we have had the assistance of the Standing Finance Committee for Railways, we were handicapped this year by the fact that the Standing Finance Committee for Railways naturally went out of existence when the last Assembly was dissolved, and that this House was not able to elect a new one until January 25th last. Thus, we were not able to spread the examination of the figures over a period of several weeks as was the case last year. But when the Committee was constituted, Mr. Parsons lost no time in placing the Budget before it, and I understand that at considerable sacrifice of personal convenience and by dint of much hard work, for which we owe a grateful thanks, the Committee was able to make a very thorough examination of the Budget. In the Budget papers which will shortly be circulated, Hon. Members will find some changes which I hope they will appreciate. In the first place, we have prepared the statement of railway revenue and expenditure in footpaise instead of octavo form. We have made this change because in the Budget debates of last year there was some complaint that the figures could not be studied without an undue strain on the eyes. Secondly, a feature of the Budget papers this year is the provision of maps and diagrams. We have appended to the explanatory memorandum a Railway map of India which will enable the Hon. Members to see at a glance what new lines we propose to construct, and what new lines we propose to survey. Then in the pink books will be found a sketch map of each Railway system showing exactly how we are developing and how we hope to develop the system. In addition, one book contains a diagram which gives full information as to the gauge of each extension, its length and cost and the progress we hope to make in each of the next 5 years. Our object of course was

enable Hon. Members readily to grasp what our programme is for the extension and development of the Indian Railway system and to see whether we have made provision for particular new lines in which they may be interested.

As this Assembly is a new Assembly some Hon. Members may not be aware of the practice we have established in the last two years. It is the custom now for Hon. Members, when they give notice of motions for reductions, to add a few words to indicate the nature of the subject they wish to bring up for discussion. This procedure is of great assistance to the House generally and to Government Members in particular, and I should be very grateful if it could be repeated this year.

3. Full explanations of the figures in the Budget are given in the Budget Memorandum, in the explanations attached to each of the demands for grants and in the pink books for individual railways. Following my usual custom, therefore, I propose to confine myself to a brief review of the more important figures, and to some account of the more important activities of the Railway Board and the Railway Administrations.

#### Financial Results of 1925-26.

4. I need not spend time over the actuals of 1925-26. It was a good year for Railways though not as good as 1924-25. In my Budget speech last year, I told the House that we expected to have a net surplus (that is, the gain from commercial lines minus the loss on strategic lines) of 877 lakhs, and that we expected that we should transfer 532 lakhs to General Revenues and 345 lakhs to Railway Reserves. Actually, we did a little better than we anticipated. I will not go into the figures in detail, for they are given in Administration Report for 1925-26. But in the result we transferred 549 lakhs to General Revenues and our Reserves benefitted to the extent of 379 lakhs. The return on Budget lines in 1925-26 was 8.31 per cent., and if this figure is not quite so good as in the exceptionally prosperous year of 1924-25, when the return was as high as 8.85 per cent., it is better than any of the other post-war years and better than it was in 1918-19.

#### Revised Estimate for 1926-27.

5. I am sorry to say that I cannot give as favourable an account of the probable financial results of the current year. We budgeted on commercial lines for gross receipts amounting to 102.58 crores and gross expenditure, including interest charges, of 92.13 crores. That is, we counted on a gain from commercial lines of 10.45 crores and deducting an anticipated loss on strategic lines of 174 lakhs, on a net surplus of Rs. 871 lakhs. On the basis of these figures, we expected not merely to be able to pay our net contribution of 601 lakhs to General Revenues but also to transfer 270 lakhs to our own Reserves. But we now know that our budget figures are not likely to be realised. We now estimate that our gross receipts will be 98.31 crores or 4 and one-fourth crores less than our budget estimate, and that our total charges will be 90.56 crores, or 157 lakhs less than our estimate and that the gain from commercial lines will be 775 lakhs instead of 10.45 crores. The loss on strategic lines is now put at 181 lakhs instead of 174 lakhs, and the final result is that we now expect a net surplus of 524 lakhs instead of 871 lakhs. The net contribution payable under the Convention to General Revenues is, as I have said, 601 lakhs. We expect, therefore, to have to draw on our Reserves to the extent of 7 lakhs to enable us to pay dues to General Revenue. As Clause 4 of the Convention shows, that is the primary purpose for which the Reserves exist.

6. These figures are disappointing, but I confess that I take a philosophical view of them. It seems at first sight a serious matter that we should have to cut 4 and one-fourth crores off our budget estimate of gross receipts, but railway earnings depend so largely on factors outside railway, or rather I should say human, control that we can never be sure that our budget estimates of gross receipts will not be falsified by the course of the season and the state of trade. And this is what has happened in the current year. Up to the end of July, in spite of reductions in passenger fares and coal freights, we were ahead of the earnings of last year. The mousoon seemed promising, and we had hopes of a really good year. The prospects took a turn for the worse, and now we expect our earnings from goods traffic to be worse than our estimate by 2 and half crores and our earnings from passenger traffic to be worse by nearly 1 and half crores. Two Railways, the Eastern Bengal and Assam Bengal Railways, have done better than we expected. The explanation is that they serve areas which have been favoured by an exceptionally abundant jute crop and a good tea crop. For the rest, the failure of gross earnings to come to our expectations is common to all Railways. As usual, we have suffered much from floods. They affected the Bengal-Nagpur Railway, the Great Indian Peninsula Railway and the Bombay Baroda and Central India Railway, but they were



particularly disastrous in Burma. The main line of the Burma Railways was so badly branched that communications could not be restored for several weeks; with the result that earnings on this Railway are half a crore below our estimate. Again, the proved unfavourable for the cotton crop. The final estimate for the year is nearly a million bales below last year's figure, and in addition the crop was abnormally late. Our earnings from raw cotton were less by 60 lakhs in the first 8 months of this year than in the corresponding period of last year. Cotton is now moving freely to Bombay, but the effect of the bad start is clearly seen in the figures of the two Bombay Railways, while the earnings of the North Western Railway have been similarly affected by a comparative failure of the crop in the Punjab. Between 1st September and the 30th January 1927, only 26,000 tons of cotton were exported from Karachi compared with 61,000 tons last year. I have thought it worth while to take this one instance of cotton by way of illustration but the drop in our gross earnings especially in goods traffic reflects just the fact that trade has not been as good as we expected. Slackness of trade too has no doubt affected passenger earnings, but it is possible that we were a bit too optimistic in our estimate of the effect of the reductions of fares brought into force last year. We expected the immediate effect to be detrimental to our earnings, and for that reason pitched our estimate of gross receipts 2 crores lower than otherwise we would have done. But now we have to reduce our estimate by a further 187 lakhs. It is not that there has been no increase of passenger traffic, but it has fallen short of our estimate and in spite of the increase in traffic we expect to earn 87 lakhs less from passengers this year than we did in 1925-26. It is too early to assess the effect of the reductions we gave last year in long distance coal freights. Owing to the coal strike in England, the circumstances of the year have been quite abnormal in the matter of coal. At any rate, we have carried more coal and I do not think that we have lost money by the reduction.

7. The drop in earnings is partially counterbalanced by considerable reductions in our working expenses. On commercial lines our revised estimate of working expenses is 1 and three-fourth crores below the budget estimate. On this amount, nearly 1 and half crores is in the cost of operation. Our coal bill in particular should be about half crore less than our estimate, partly of course because of coal at which we can now buy, but also as the result of vigorous measures taken by the Railway Board to secure great economy. The statistics given in Volume II of the Administration Report for 1925-26 show how consumption has decreased relatively to the work done and bear testimony to the effectiveness of the measures taken by the Railway Board.

8. I have said that I take a philosophic view of the disparity between our revised and budget estimate. I go further. I think that the results of the current year illustrate the strength of the position Railways are now in. We have had a comparatively poor year marked by exceptional floods, partial crop failure amounting to scarcity in parts of the country and slackness of trade evidenced by the fact that up to the end of December last our total foreign trade was nearly 50 crores less than in 1925-26 and 60 crores less than in 1924-25. Nevertheless, we hope to earn this year a net return of 4.77 per cent on the capital at charge enabling us to pay our interest charges and to pay all but 7 lakhs of our contribution to General Revenues. It has also to be remembered that the contribution payable this year is based on an exceptional prosperous year and amounts (leaving strategic railways out of account) to the big sum of 760 lakhs. In my view having regard to the inevitable fluctuation in Railway receipts from one year to another these results go far to justify the wisdom of the policy to which we are working.

#### Budget Estimate for 1927-28.

9. For the year 1927-28, we have adopted a more cautious estimate than last year. We are budgeting for gross receipts from commercial lines amounting to 100.40 crores and for a total expenditure of 91.47 crores. If our expectations are realised, the gain from commercial lines will amount to 8.93 crores and the net gain, after deducting the loss on strategic lines, will be 7.10 crores. Out of this sum, we shall have to pay 548 lakhs to General Revenues that being the net contribution payable on the results of 1925-26, and we hope to strengthen our reserves by 162 lakhs.

10. I do not propose to comment on these estimates at length. The main feature of them is that we put our gross traffic receipts on commercial lines at 99.34 crores or 3 crores more than the revised estimate of the current year, and that we expect to earn these receipts at a working cost of only 8 lakhs or so in excess of the working expenses of this year.

On the whole I should describe these estimates as framed in a spirit of sober optimism,—in the hope that we shall on the whole be free from the misfortunes which have beset us this year, and that trade and traffic will pursue a more even course; and

also in the hope that our continued efforts will result in further economies in our charges. For example, the House will notice that though we should ordinarily have to expect an increase of about 15 lakhs in the cost of administration on account of increments to salaries we are actually budgeting for a reduction of 10 lakhs in the cost. This is because we hope that Agents will be able by improvements in their administrative machinery, to cut down the existing scale of their expenditure by perhaps a quarter of a crore. We cannot of course be certain that we shall be able to get this reduction in full next year, part of which must be occupied in investigating the existing methods and procedure and seeing how they can be improved. But at least we shall do our best to do so. We have also been able to place our contracts for coal at cheaper rates in the current year, and to this and further economies in consumption, we look forward to a reduction of 38 lakhs in our coal bill.

#### Capital Expenditure.

11. The House will remember that the approved programme for capital expenditure in the current year authorised a total capital expenditure of 34.58 crores. This was the estimate given by the railway administration of the amount which they hoped to spend during the current year on approved works. I explained last year our principles with regard to fixing the capital budget. We do not wish to restrict the execution of sanctioned works nor to hamper in any way the Agents' efforts to carry to completion such works as rapidly as possible, and we accordingly authorised them to spend up to the full amount they thought they could spend during the year. We knew, however, from past experience that their actual expenditure would be very much lower, and we asked the Assembly to provide a sum of only 22 crores in addition to the 4 crores required from the purchase of the Delhi-Umballa-Kalka Railway. The actual expenditure during the current year is now expected to be 27 crores more than was provided for, and we shall place a supplementary demand before this House in due course for the additional funds required to the last few years, as indeed the House has noted on more than one occasion in the Budget debates, there have been considerable lapses in the amounts provided for capital expenditure, and this is the first year in which actual expenditure is likely to approximate closely to our estimate. We must, I think, congratulate the Railway Board on the success of its efforts to attain greater accuracy in estimates and to expedite the execution of sanctioned works. One of the methods adopted deserves a passing mention, for it represents a new and important departure. We are now beginning to make use of private contractors for important railway works. A number of important railway bridges are now being built for us by firms of contractors, the latest example being the rebuilding of the bridge over the Nerbudda on the Great Indian Peninsula Railway main line which was washed away last summer. Another important work which has been entrusted to contractors is the elimination of the Bhore Ghat Reserving station on the Great Indian Peninsula Railway, and we hope that we may shortly be able to devise a system which will allow us to hand over to contracting firms the entire construction of some new lines. Of the total expenditure of 27 crores, just over 4 crores represents the purchase price of the Delhi-Umballa-Kalka Railway. Twenty-one lakhs roughly is the expenditure incurred in taking up new issues of share capital of certain branch line companies in which Government are financially interested in order to replace loan capital by share capital. This method is directly remunerative to us in that it adds to our share of surplus profits or reduces our liability to pay rebates. As regards the balance, the expenditure on new lines is expected to be 6.47 crores, and on open lines 16.32 crores. The former figure represents a lapse of only 9 lakhs on the budget estimate. Progress on some projects has unfortunately been retarded by a variety of causes such as late receipt of imported material and unexpected delays in the acquisition of land, but on others it has been possible to accelerate the rate of expenditure. The principal sufferer has been the Raipur-Parvatipuram line where we now expect to spend less than a fifth of the 125 lakhs provided for the current year. On open lines, expenditure has proceeded at a more rapid pace than we expected when the Budget was framed and our latest anticipation is that the budget estimate will be exceeded by a little over a crore. This however is partly counter-balanced by a reduction of 60 lakhs in our estimate of expenditure from the Depreciation Fund which is a counterpart of the programme of open line works.

12. For the year 1927-28 the total amount of funds asked for by railway administrations is 39.77 crores. As usual we propose to authorise them to spend up to the full amount they have included in their estimate, but we are asking the Assembly only to vote a sum of 25 crores as a whole, which we believe is at present about the limit of the administrations capacity of spending. Of this total of 25 crores, we propose to distribute 7.68

administrations' capacity of spending. Of this total of 35 crores, we propose to distribute 7-63 crores to new lines (as against nearly 15 crores asked for by Agents) and to open line works the balance of 17-88 crores as against roughly 2 and three-fourth crores demanded.

12. The full details of open line works are, as usual, given in the budget memorandum and in the various pink books dealing with the estimates of new railways and I think it unnecessary for me at present to deal with any of the details of these estimates. I need only say that of the total amount of 24-77 crores, which it is proposed to distribute among Agents as desired by them, 19-41 crores are for improving open line facilities. Some amounting roughly to 3 crores each are provided for improvement of track, for remodelling of station yards and for the electrification of lines and stations. The provision for doubling and quadrupling tracks, strengthening of bridges, workshops and stores and station buildings, and staff quarters amounts to about 6 crores. I would specially emphasise the large share that electrification of lines and stations has of the total expenditure. The total provision made is over 8 one-half crores. The Great Indian Peninsula Railway alone accounts for nearly 2 crores of this. The projects included the electrification of the main line from Bombay to Igatpuri and Poona (costing altogether 5 one-half crores) for which a crore is provided in the following year, and the construction of the power house at Kalyan consisting altogether 97 one-half lakhs, for which 40 lakhs is provided in 1927-28. In this connection, I think that it would interest the House if I give them certain figures which I have extracted from a recent report on the Harbour Branch Railway of the Great Indian Peninsula Railway system. The section between Victoria Terminus and Kurla, a distance of 9 one-half miles, was electrified with effect from 5th February 1926. On 2nd February 1926 the electrification of the Mahim Chord, an addition of 2 one-half miles, was completed and the whole of the Harbour Branch Railway was operated by electric service. A comparison between the statistics of January 1926 with those of October 1926 shows that the train miles have increased four times, that passenger traffic has doubled and that earnings have trebled. I may also call attention to the provision of about 2 one-fourth crores made for amenities specially intended for lower class passengers as separate from such general improvements as remodelling and electrification of stations and yards and improved train services from which also they derive benefit in common with others. The special amenities include arrangements for water-supply, the increased provision of waiting-rooms and halls and refreshment rooms and the improvement of booking facilities and sanitary arrangements, but the main item on which expenditure is to be incurred is nearly 1 and three-fourth crores under additions and improvements to lower class carriages. Under additions, the programme for 1927-28 contemplates 686 coaching vehicles and 552 of these are lower class carriages.

#### New Construction.

14. One of the most interesting parts of the Railway Budget is of course the programme of new construction. Our programme for next year will involve a total expenditure of 142/3 crores in the case of commercial lines, but we have thought it necessary to provide only 7-41 crores. The programme for both commercial and strategic lines is set out in full in the Budget memorandum. It includes 48 lines covering 1,813 miles which are already in progress and 51 new lines extending to 2,827 miles. Thus, our immediate programme covers 4,640 miles. Only 320 miles of new line will be opened in the current year, but next year I hope that we shall see a more substantial return on the money we have spent on new construction in the last two or three years. For we hope to open in 1927-28 nearly 900 miles of new line. And my successor is likely to be more fortunate than I have been in the record of mileage added to the Indian Railway system. I am confident that the House will welcome this development, and will agree that we should press on with the construction of new lines. This is our policy. Each Railway Administration is charged with the duty of exploring every avenue that affords scope for the construction of remunerative lines of a standard suitable to the traffic that may be expected and of keeping in close touch with Local Governments in this important matter. In order to afford every facility for the achievement of this object, we do not propose to adhere to one rigid standard of construction. Obviously a standard that is suitable for a main line carrying heavy traffic may be needlessly expensive for a feeder line serving a comparatively small agricultural tract, and the Railway Board have now laid down varying standards of construction in order that branch lines and extensions may be built to whatever standard seems most suitable to the area to be served.

#### Rates and Fares.

15. I am sorry that I am not in the happy position of announcing any further reduction of rates and fares, but after what I have said earlier in my speech the House

cannot have any expectation of beams of this kind. But it must not be thought that we have made merely the reductions in passengers' fares announced last year. On the contrary, at the beginning of the current year we expressly invited Agents carefully to review their passenger fares in the light of statistics and we told them that we should be prepared favourably to consider further reductions. As the result of this letter, the Agents of the East Indian, North Western and South Indian Railways felt justified in proposing these further reductions and they have already been brought into force in one case from 1st January last and in the other two cases from 1st February. The reductions on the two State-managed lines are substantial, and third class passenger fares for ordinary trains are now down to 3 pies per mile for distances over 300 miles. The House may think that we have been unduly bold in sanctioning these reductions in view of the fact that the reductions previously sanctioned have not yet given any material stimulus to traffic. But the recommendations of the Agents were based on their considered opinion that ultimately it would pay them to bring down fares to the level suggested and we decided to take the risk. I would here emphasise the fact that it is only the existence for our Railway Reserves that enables us to make experiments of this kind. For we have to remember that every year we are adding a sum of upwards of twenty crores to our capital at charge. Every 20 crores added to our capital means that we ought to obtain an increase in our net earnings of about a crore and 20 lakhs. For not only have we to pay our interest charges but in addition we have to pay one per cent to General Revenues on our capital at charge. On the other hand, much of our new money goes into works which take time to become remunerative, and there is also the fact that we must expect large variations from year to year in Railway earnings in accordance with harvest results and trade fluctuations. All these considerations point to the need for prudent management, for unceasing strivings after economy and efficiency, and for a wise policy of building up reserves. But provided that we keep these essentials in mind, I think that we can face the future with confidence and that we need not hesitate to make such well-considered experiments in the reduction of rates and fares as on the advice of our Agents we have so far embarked upon. But I have no doubt that the House will agree that the effect of such experiments must closely be watched and that if after a fair trial extended over a reasonable period they are found merely to involve us in a loss of revenue without bringing any compensating advantage in the shape of increased traffic, the matter may require reconsideration. But I hope that there is no fear of this result and that we shall not merely be able to carry on the reductions that have been made but also to try further experiments, particularly in the way of reducing freights.

16. I have just referred to the need for unceasing striving after efficiency and economy, and I have done so quite deliberately. For I think that I may claim that however far we may have fallen short of our ideal, that has been our policy during the last five years. Some members of the House, I know, think that we are too rigid in our adherence to this policy and they regard it merely as a rather soulless bureaucratic trait. But, believe me, it is not that. After all the Government of India and the Railway Board are responsible for what is, I suppose, one of the biggest commercial undertakings in the world. It is a business with a capital of something like 600 crores—say 480 million sterling. If we run it successfully, we provide India with a cheap and efficient system of transport. If we fail, the Railways become a burden on the general revenues of the country. In some respects I think that we can claim already to have made satisfactory progress. I do not wish to repeat what I said last year, but every one will agree I think that our financial arrangements are on a much sounder basis than ever before and that we have made some progress in carrying out the recommendations of the Asworth and Inchevalle Committee. But the Indian Railway system is a vast organisation, and recently in almost every year some new branch of our work has been brought under expert examination and review. This year it has been the turn of the workshops, and we have just published the report of the Raven Committee. Some people, I am told, call it an indictment of the Railway Workshops. It may be so. I am not particular about the word. But the plain fact is that the Railway Board thought that State Railway workshops required overhauling in the light of most modern workshop practice. We entrusted the task to two of the best experts we could find, and we have obtained from them what we wanted, namely, a frank outspoken report containing many valuable suggestions for improvement of our methods and our equipment. The publication of the report may expose us to criticism, but from our point of view the important thing is that we now know the directions in which to work for economy and efficiency, and we propose to follow up the suggestions which have been made. Similarly, an enquiry is now going on into our methods of railway accounting and into our workshop accounts, and another

enquiry has just been made into the medical and sanitary arrangements of one of our most important railways. I do not propose to enter into greater detail into the many other directions in which economies are being effected in the administration of our railway property as these are dealt with in Sir Clement Hindley's speech in presenting the Budget in the Council of State.

27. And now, Sir, I propose to bring to an end this the last account I shall give of my stewardship of Indian Railways. I am conscious of its difficulties, and there are many other things that I should like to say, but I am afraid of wearying the House. I am sorry that I end with a less prosperous year than some of its predecessors, but at any rate it is a much more satisfactory budget than the one I had to defend in this House 5 years ago. No one could have had more loyal and devoted assistance than I have had from Sir Clement Hindley, Mr. Sim, Mr. Parsons and from Railway Officers generally and as for this House, Sir, though I have had much criticism, I like to think that it was kindly criticism and there is not one of us on these Government benches who does not realise the value of the close scrutiny to which our budgets are subjected by the Legislative Assembly.

## The Steel Bill.

After the Railway Member's speech was over discussion was proceeded with the Steel Protection Bill.

Lala Lajpat Rai spoke first in support of Mr. Chetti's amendment for average weighted duty. He did not question the motive and intention of Mr. Jinnah, who did not see any imperial preference in the Government proposals but only discrimination in favour of British steel. But Lalaji feared that one discrimination would lead to further discrimination. Politics and economics were inter-twined and in this bill the vicious principle of imperial preference existed.

The President: This question of imperial preference was discussed threadbare the other day. I request the members not to make speeches on that but merely touch on it.

Lala Lajpat Rai averred that even economically the principle of discrimination was unsound and urged the House to consider the advantage of weighted average duty which outweighed those proposed under the Government scheme. He contended against the view that there was dumping of continental steel and pleaded against penalising a large mass of consumers who used continental steel. Continuing, he said that by penalising the use of continental steel they would be throwing out of employment thousands of poor Indians who were engaged in the manufacture of small articles out of continental steel.

("Official Benches cried: No no, where are they") He instanced the small manufactures in Bombay, Poona, Gujranwala, Sialkot and other places. Concluding, he complained against the Indian students not being given adequate facilities by English educational and technical institutions, while continental countries whose steel the Government wished to exclude from India were showing consideration in this respect. This treatment of England did not deserve concessions as was proposed by the Bill. He accepted that the steel industry should be given adequate protection for seven years. To that extent he favoured the Tariff Board's report, but he differed as regards the form of protection.

Mr. Jinnah, replying to Lala Lajpat Rai, said that the telegraphic representation which the latter claimed were pouring in were all from the iron merchants (Hear, hear). None of them were, however, from traders or artisans for whom the Lala had pleaded. However, the Tariff Board had taken into consideration the consumer's point of view, but Mr. Chetti's amendment, if put into effect, would give excessive protection to Tata and would profit the middlemen. Figures showed that under Mr. Chetti's scheme there would be unnecessary burden of 4 crores on the consumers in the course of 7 years, but at the same time he wanted the Government to see that small traders and artisans did get the requisite protection.

At this stage, several members on the official benches applied for closure but the President called upon Mr. Birla to speak.

Mr. Birla quoted figures to show that there was no profiteering on the part of middlemen. Figures related to beams, angles, etc. Mr. Birla asked the House not to be led away by the argument of Mr. Jinnah and Sir Charles Innes about profiteering when in some cases these middlemen actually lost.

Mr. B. Das said that Sir B. N. Mitra did not reflect Indian opinion in the Executive

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Council. Sir Charles Innes had himself said on a previous occasion that whether it was imperial preference or preferential rates, there was politics behind it. Now, however Sir B. N. Mitra, the Indian member, poohpoohed the view advanced by the non-officials.

When Mr. B. Das finished his speech it was a quarter to four and there were renewed cries from official and other benches for closure. The House divided on the closure motion when the Hon. Mr. Patel came back and occupied the chair, 87 voted for closure and 50 against it.

The House again divided with the result that 60 voted against the amendment and 49 for and, therefore, the amendment was lost.

## The Kharagpur Strike.

After the amendment of Mr. Chetti had been defeated, the adjournment motion on the Kharagpur strike was taken up. Mr. V. V. Jogiah wanted the House to discuss the conduct of the B. N. Railway administration in not enquiring into the repeated representations of the subordinate employees of the B. N. Railway which occasioned the strike causing inconvenience to the people; secondly, the conduct of the Government in calling out the Railway Auxiliary Force to shoot indiscriminately not only the workmen but some members of the public and in not giving warning or persuading the crowd to disperse, and lastly, in censoring despatches of telegrams sent from the Labour Union to a large number of the members of the Assembly. He reminded the House of the representations of the labourers which was promised to be considered but which was repeatedly postponed on very flimsy grounds. The chief grievances of the labourers were insecurity of service, dismissal without proper action, insufficiency of wages and ill-treatment of subordinate officials. The Labour Union advised men against going on strike and but for the attitude of Mr. Lewis, Acting Chief Engineer, the situation would have been easily solved.

Mr. C. S. Ranga Aiyar who spoke next regretted that Mr. Jogiah had no time to develop the main theme of grievances, namely that there was indiscriminate use of bayonets and this was done by using Col. Gidney's Anglo-Indian race against Mr. Jogiah's labourers (hear, hear). If they wanted to shoot Indians, why did they not bring Europeans? Why should Anglo-Indians have been brought? Was this another proof of the policy of *divide et impera*? From a perusal of the account of the events, it appeared as if the men were instigated to use violence so that superior forces of violence might be brought into being. Let Sir Charles Innes mark his departure from India by conducting an impartial enquiry.

Colonel Gidney regretted the tone of Mr. Ranga Aiyar's speech which itself was for *divide et impera*. It was the Railway Union and political infusion in it that were at the bottom of the riot. Why should this House of legislators accept what all the Railway Union said in their statement and in effect send a message for other Railways to follow suit? By carrying the motion they would disorganise Railway as they disorganised the Police in Calcutta riot. Let us not be guided by telegrams sent by the rioters. Concluding Col. Gidney asked the Government to see that there was no dismissal, removal or reduction in accordance with rule fourteen of the House Department.

Mr. N. M. Joshi drew the attention of the House to the fact that the Auxiliary forces were composed of railway officers. The speaker asked if it was fair that the very officers under whom these men were working should turn out to be the military when the men struck work?

This was not the first time in which the military was used for firing in the name of law and order. The Government of other countries did not use military for such purposes. Mr. Joshi wanted an enquiry not only into the incidents of shooting but also into the grievances of the workers. If the Agent had failed in his duty, let not the Government of India fail in its duty.

Referring to the grievances of the men Sir Charles Innes said that he had never known a case in which the Agent of a Railway extended so much sympathy to railway men. As soon as the grievances of men over the transfer of Mr. Naidu was brought to his notice, the Agent himself took the trouble to explain the actual position. The men came back to work, but all of a sudden due to the influence of politicians a public meeting was called attended by a large number of persons and resolutions passed. Then there was a crowd marching to the station yard and preventing the running of trains etc., and if at that stage the District Magistrate ordered the use of not fire but bayonets, then Mr. Ranga Aiyar wanted him to be dismissed. The District Magistrate had to act on the spur of the moment. His task was difficult and no more than the necessary violence was used. So long as he (Sir Charles) was a member of the Government, no district officer would be punished or penalised for trying to do his duty in circumstances of this kind. The versions as received by him from the officials and as given out by men did not of course tally in all respect. Indeed, the House was not in possession of the facts. What then was the use of our enquiry at this stage? The danger of passing this motion at this stage was that they would prolong starvation of these men who were on strike.

Diwan Chamanlal said he was yet to hear the word of regret for bayonetting. Could it be denied that the head of the Auxiliary Force, Colonel Henderson himself, was a railway official?

The Commerce Member interjected that he said the Auxiliary Force was called out by the District Magistrate.

Mr. Chamanlal condemned the law being taken into their hands to the danger and detriment of the life of the people. A judicial enquiry must be held into the firing and bayonetting and an impartial enquiry into the grievances of the strikers. If a promise of this enquiry was given, the motion would be withdrawn but not otherwise.

Pandit Malaviya who followed prefaced his speech with a declaration that he was generally against strikes. He said that it had been suggested that strikers had done injury to the railway property. He was sorry that officials on the spot acted unwisely, for strikers had gone to the platform to advise their fellow-strikers also to stop work. They had perfect right to do so. If the speaker was convinced that violence had been resorted to by the strikers, his attitude would be different. The speaker regretted the want of patience and restraint on both sides. The authorities should have exercised greater restraint. It was not necessary to have called out the Auxiliary Force and asked them to resort to the use of bayonets and fire-arms. If Sir Charles Innes had only expressed regret for the action taken there would not have need for this heated debate.

Mr. Neogy dealt at the outset with the constitutional aspect regarding which he said he was between the devil and the deep sea for a while. Sir Alexander Muddiman said that this question was to be discussed only in the local Council. The President of the Bengal Council had disallowed adjournment motions on the ground that this was a central subject. Proceeding

he referred amid cries of "shame" to the censorship on telegrams sent by the Labour Union to 18 members of the Assembly. Not only were their reports suppressed by the authorities but their own accounts were cooked up.

It was 6 when the President declared the motion talked out. The Assembly then adjourned.

### The South African Agreement.

On the 21ST FEBRUARY Mr. Bhore made a statement of the agreement reached between the Union Government and the Government of India and he was applauded at the conclusion. (For the text of the statement see Section "India Abroad.")

The President reminded Mr. B. Das of a reference made by Mr. Bhore that so far as the Government of India were concerned, they had ratified the agreement.

### The Steel Bill Passed.

Mr. JAMNADAS MEHTA then moved his amendment putting forward his alternative scheme in respect of duty cum protection. He declared that the Bill did embody Imperial preference and that it would be contested inch by inch and step by step. He showed that as a result of three years' protection scheme the Government had benefited in revenue by Rs. 200 lakhs, the creditor by Rs. 150 lakhs and the wage-earner, by Rs. 425 lakhs while the owner of the company had in three years benefited in the shape of dividend only to the extent of Rs. 4 and half lakhs, which did not yield even half per cent. How could this be expected to serve as an inducement to the investor. The people of India had made heavy sacrifice in these years to help Tata Steel to stand firm. Thanks to the exchange, capital had to be written down.

Continuing, Mr. Mehta averred that the protection extended was so small that it would not attract capital. He contested the view of Mr. Jinnah that it was the middlemen living in Bombay who would benefit by his scheme. He showed that according to Godrej, Tata had quoted Rs. 228 per ton for steel which could come from Germany for Rs. 161 or at 170 with additional duty. Then under no circumstances could Tatas compete with this. The consumer in Calcutta benefited because of the competition with British Steel and because of the nearness of Calcutta. He maintained that his scheme alone would give protection to the industry, impose the least burden on the consumer and would put the least possible sum in the hands of the Government.

Mr. JINNAH, replying, remarked that he never said that the Bill was perfect but that of the 8 schemes before the House the one embodied in the Bill represented the least evil. Mr. Jamnadas had only proved the speaker's contention that because Tata Steel did not reach the ports of Bombay, Karachi and Madras as easily as Calcutta it was the middlemen who really benefited. Did Mr. Jamnadas understand that if he gave bounties to Tatas the result would be that Tatas would concentrate on production of bounty fed material and give up production for instance of galvanised sheets? This would mean that the revenue derived from import duty under protection which amounted to half from these sheets would as a result of withdrawal of protection be lost. He saw no reason why new companies should not come into the field. Mr. Jamnadas Mehta had charged the speaker of being either in air or at sea but it appeared to Mr. Jinnah that Mr. Jamnadas himself was either in the lap of prejudice or had been misled by middlemen. He examined the amateur amendment of Mr. Jamnadas and showed how it would land the Government in difficulties and unknown liabilities. For instance, any firm could without much outlay undertake to manufacture bars out of scrap iron and scrap steel. To pay bounty for protection of such bars would involve an unknown liability. Speaking with all authority at his command of the working of three years' protection, he described Mr. Jamnadas's amateur proposals as ridiculous and absurd and that to work the scheme proposed by the Bombay member would, if not impossible, be most difficult, very expensive and very inconvenient. He hoped that the House would realise its responsibilities in the matter.

Mr. M. K. ACHARYA regretted that Sir Charles Innes had not met the argument of the non-officials that under their scheme he (Sir Charles) was taking much more from



the consumer. They all agreed that adequate protection should be given to Tatas, but not in the way the Government suggested. He would have no objection if the entire scheme was withdrawn and another Bill which would be more acceptable to the House was brought forward. He, however, would accept Mr. Mehta's amendment as the lesser of the two evils.

Pandit MALAVIYA emphasised that on a matter of this kind Government should carry the House with them. To snatch a vote this way or that was not the proper method of pushing through such legislation. He did not question the earnestness of the Tariff Board and of the Government to act in the very best interest of India according to their light. The opposition was not wanted, but because there was honest difference of opinion he expected that, instead of crying shame and telling the members that they did not know their business the Government and their supporters should show sympathy and consideration to the views of the opposition. Their view was based on some regard for the consumer to see that the consumer was not penalised in places where Tatas did not operate. He suggested that the Government with all its Secretariat machinery should co-operate with the House in removing the defect of Mr. Jamnadas's scheme. The speaker had worked with Mr. Jinnah for years but felt that Mr. Jinnah's special pleading on this occasion had disappointed many members. He rejected the plea that Tatas would play false to the Assembly and to the country by changing their plans for production. If they did, the Assembly would not help them again. He did not wish to hurt Englishmen, but must first have regard for the interests of his own countrymen. Why rush through this Bill? The manner in which the Bill was being handled had caused him great pain and he ended by suggesting the adjournment of the discussion.

At this stage the closure was moved by the official benches and was carried without division. The House then voted on Mr. Jamnadas Mehta's amendment and rejected it by 65 votes against 56. Thus, while whipping on both sides had brought in the absentee members, the majority for the Bill practically, remains the same as it was when the motion for recommitment and for approving Mr. Chetti's scheme was rejected.

#### Discussion on other Amendments.

Mr. Mukhtar SINGH then moved an amendment providing for rebate of duty in respect of imported steel used by bona-fide Indian manufacturers of small articles such as bolts, toys, utensils, cutlery etc. Sir Charles Innes, intervening said that this question was under consideration of the Tariff Board and he hoped this information might shorten discussion. Mr. Mukhtar Singh said he was not satisfied with the assurance given by the Commerce Member and pressed his amendment. The speaker explained how the rebate system could be calculated and worked.

Sir Charles Innes, in opposing the motion, said the amendment was vague and unworkable. The amendment was rejected.

#### Purchase of Steel by Government Departments.

Sir Charles Innes pointed out that the next amendment in the name of Mr. B. Das which asked for declaration of the Government by notification in the "Gazette" that the purchase of steel of Indian origin should be given preference by the Government departments, municipalities and local boards etc., was put out of order on the grounds that it raised the question of increase of import duty which was outside the scope of the Bill. The President agreed that the motion was out of order on the ground that it related to provincial subjects which could not be discussed in the House except by permission of the Governor-General. He would, however, admit the amendment if the mover omitted municipal and district boards from the operation of the amendment. Mr. Das agreed to this and the amendment was formally moved. Mr. Das, in moving his amendment, said that even the Tariff Board had recommended the use of Indian steel by Railways as it was the object of protection to create a market in India for Indian manufactured steel. He pleaded for acceptance of his amendment and complained of the circular issued by the Railway Member who recommended that Indian Railways might go in for Indian products. His objection was that it was not made obligatory. He wanted a statutory provision to be made with regard to the purchase of Indian steel and the mere assurance of the Commerce Member was not enough.

Mr. Das's amendment was pressed to division and lost by 45 to 55 votes.

#### Appropriation of Protective Duties.

Mr. N. M. Joshi rose to move the amendment laying down that the amount raised

by protective duties should be applied for technical training in steel industry and welfare of workers such as protection against sea-sickness, unemployment, and old age.

Sir Charles Innes, on a point of order, said the motion contravened Section 67 of the Government of India Act which clearly laid down that no motion for appropriation of revenues should be made except with the permission of the Governor-General. The President upheld the objection and ruled the motion out of order. Clause 3 of the Bill was then adopted.

Lala Bang Beharilal unsuccessfully moved an amendment to Clause 3 of the Bill demanding that in 1923, the steel industry's representation of insufficiency of protection should be a precedent of further protection.

#### Depreciation Fund for Steel Companies.

Dewan Chamanlal moved his amendment laying down that the Governor-General in Council should have power to frame rules directing steel companies to set aside for a depreciation fund a certain amount from the profits and also providing for housing, maternity and other benefits to workers. The mover said that the Assembly was entitled to direct the companies to so spend their profits as to ensure proper working. He complained of the bad lot of the workers who, notwithstanding the Tariff Board, were not well treated and had to suffer great hardships.

Sir Charles Innes, replying, asked what could be done if the steel companies disobeyed the rule for depreciation funds? His opinion, is that it must be left to the good sense of the companies' directors. Clause 3 was adopted after two more amendments were withdrawn.

#### Motion for passing the Bill.

Sir Charles Innes then moved that the Bill as amended be passed.

Mr. S. Srinivasa IYENGAR, opposing the motion that the Bill be passed, observed that the methods adopted in giving protection were so hopelessly at variance that he could not agree to it. Sir Charles himself had agreed that the Bill provided for British preference. It was said that no scheme of imperial preference should be undertaken unless both the Government and the Legislature agreed. He would, therefore, ask the House to be careful in view of the fact that preference was both political and economical in character. The speaker objected to the Bill on another ground, namely, that it enabled the Government to raise more revenue than was needed for administration. It was bad and vicious in principle to encourage overflow of money into the exchequer. Concluding, Mr. Iyengar reminded the Commerce Member that on the last occasion when the Limitation Bill was before the House, he had dismissed the Tariff Board's recommendations for import duties as a burden on the consumer. Was the Tariff Board then an expert body or had it suddenly become expert because it suited the Commerce Member?

Mr. Bangaswami IYENGAR, in opposing the Bill, referred to the Imperial Economic Conference when the British representative had agreed that British goods were enjoying a large share of India's market even without preference. Now Sir Charles Innes sought unfairly to extend the preference at the cost of India. He referred to the position of the Indian wagon industry in relation to the Bill under discussion. The wagon industry had asked for protection. Obviously that industry could manufacture all the Indian needs; but strangely enough, the Commerce Member had placed orders in England in respect only of current wagon requirements but also of anticipatory requirements for the next five years. The position was that in spite of Indian steel protection the wagon industry would not enjoy any privilege. When the question of protection by bounty to wagon industry came up, the Government would say there was no necessity as they did not require any further supply of wagons. The result would be that while the local wagon industry was suffering British wagon would come into the country at a ridiculously cheap rate of duty.

#### Bill passed by a Majority.

After Mr. Jinnah had spoken in support of the Bill closure was applied and agreed to. Sir Charles Innes having relinquished his right to reply, the Assembly divided with the result that the Bill was passed by 52 votes against 40.

#### Civil Aviation Grant.

The House next proceeded to discuss the motion that a supplementary sum not exceeding Rs. 996,000 be granted to defray the expenses that will come in the course of payment during the year ending 31st March 1927 in

respect of aviation. On Diwan Chamanlal strongly objecting to a penny being spent on civil aviation, Sir Alexander Muddiman replied that the question was of great importance and at the far end of the day the House was not in a mood to discuss it at length. He, therefore, formally moved that further discussion on the supplementary grant be postponed to which the House agreed and then adjourned.

### Discussion of Railway Budget.

On the 22ND FEBRUARY the House proceeded to the general discussion of the railway budget which was initiated by Sir Purushothamdas Thakurdas.

Sir Purushothamdas THAKURDAS acknowledged the manner in which the Railway authorities took members of the Advisory Council and the Finance Committee into their confidence but it seemed to him that mostly it was a case of locking the doors after the horses had left. For, even with the said experience of Railway surplus stores after the war, there was to-day considerable surplus of wagons. Locomotives also ceased to be in excess. These enormous purchases were made at a time of high prices and had involved the taxpayer in an annual loss of the best part of one crore. He was pleased at the lower figure of compensation paid, but suggested that following the example of the B. B. and C. I. Railway who took the Advisory Council into confidence the Railway Member should also tell them of the number of claims received for compensation. Sir Purushothamdas then spoke particularly on the remarks of Mr. Parsons, Financial Commissioner, in his memorandum on the effect of exchange on the Railway budget. He held that in the whole railway tale told to the House the effect of maintaining the artificial ratio was visible unmistakably. While Sir Basil Blackett had told them that prices had adjusted themselves to 1s. 6d., Mr. Parsons was counting on the effect of sterling transactions for the next three to five years. He then examined in detail Mr. Parsons' observations.

As for the wages of the railway employees he was the first to stand, for not only adequate payment but for one that would ensure comfort. He recalled that three years ago Sir Charles Innes held the wages of railway employees to be very generous and those wages to-day were more favourable because of further fall in prices. To raise this issue to prejudice discussion on the ratio was not fair to the country. Sir Purushothamdas added that the Government had been artificially propping up exchange.

Sir Basil Blackett: You want artificial depression.

Sir Purushothamdas: It does not lie in the mouth of the Hon. Member to interrupt me when the time is so limited and when he knows well that he had not the courage to let the ratio issue be decided earlier.

He continued: "As for the stores, here again, Mr. Parsons had shown that the Government had by its currency policy hit the Indian industries. Sir Purushothamdas further showed that the mileage of 38,032 in 1923-24 had earned on the average Rs. 24,907 per mile. The total mileage of 39,817 in 1927 to 1928 was estimated to earn practically the same, namely Rs. 24,923.

Sir Purushothamdas continuing drew attention to the remark in the railway administration report of 1922-23 that the railway earnings depended on the general prosperity of the country which in the case of India was most easily measured by the agricultural position and returns of foreign trade. The administration report of 1925-26 had referred to the heavy drop in the export of grains through Karachi. The Railway Member had in his speech on Friday admitted that the total foreign trade was nearly 50 crores less in the current year than in the previous year. The whole question then was that whenever they manipulated currency and especially the ratio in a manner that it either hampered exports and consequently also imports, the railways were bound to suffer. Sir Charles Innes was, therefore, not right in thinking that the budget which he presented with a heavy heart was dependent only on factors outside his human control but might very well bear in mind and examine the factors under the control of the Government of India. He felt that unless the Railway department make the Finance Department straighten facts and remedy them, the Railway Budgets of India not only for the next year but for some years to come would have nothing but a sad tale to put before the House. It was a very sad commentary on the Currency policy of the Government and the first reflection of it had been found in the Railways of India.

After several members had spoken Sir Charles INNES replied to the debate. The Railway Member said that for the last few years, the railways had got accustomed to

1a. 6d. ratio and there would be complication if that rate was altered. Much had said of the question of separation of railway finance and both Mr. Jamnadas Mehta and Mr. Neogy had pleaded for revision. The terms of the present convention were to last for three years only and then the position should be re-examined: but if there was a general desire that the question should be reviewed earlier, then the Railway Board would be quite prepared even to undertake a preliminary examination of the subject. But the whole scheme was in an experimental stage and for that reason he himself would prefer postponement so that the experiment would work itself out. But it must be remembered that whenever examination was undertaken, there must be one condition, namely, that the profits of Railways must go towards improving the railways and cheapening the rates and freights and not for the general revenues of the country. Mr. Sesha Iyengar had considered that in the railway programme they were going too far; but most of the other members who had spoken had urged that the right policy for the Government to adopt was to push on their programmes especially in agricultural tracts, and this they were doing. He warmly contended against the charge that the policy in regard to railway programme was in the interest of England and pointed out that the lowest satisfactory tender was accepted by the High Commissioner and there was no preference for Britain in respect of the stores purchased.

Proceeding, Sir Charles referred to the criticism levelled against the Railway Board after the report of the Raven Committee on workshops and said: "We sought that enquiry at the instance of Mr. Wrench and we shall give effect to the recommendations. He informed Colonel Gidney that reduction in fares had taken place not only in State Railways but on all Company-managed railways. If Mr. Joglah's suggestion for a uniform rate of 2 pies per mile on all railways for third-class passengers were adopted then there would be a loss of Rs. 11 crores. Mr. Ranga Aiyar was not right in his figures that 2,500 men had been transferred to Calcutta from Lucknow on the E. I. Railway having taken over the O. and B. Railway. The figures were not more than 300. He assured Mr. Batmaswami that if there was remissness on the part of the Government of India in giving attention to South India in the matter of railways in the past, that was more than made up by the projected extensions in the coming year. Concluding, Sir Charles Innes amidst applause said that if the policy adopted by the Railway Board was pursued, then his successor after five years would be able to show a very remarkable record.

The Assembly then adjourned.

### Voting on Railway Demands.

On the 28RD FEBRUARY discussion on railway demands for grants commenced with a full dress debate on the affairs on the Railway Board on the motion for omission of the whole grant, on which all the three non-official parties seemed agreed. About 125 motions for cuts, some token and some substantial, were on the order paper, but by mutual agreement discussion was concentrated on selected motions of both characters.

Mr. Srinivasa IYENGAR rose to move a reduction of the demand by Rs. 9,42,000 which would virtually amount to omission in effect. Mr. Iyengar complained the printing mistake in the motion on the paper which stated that demand be reduced to Rs. 9,42,900 and not by Rs. 9,42,000.

Mr. Graham protested that this was the mistake of the mover as original documents showed. Mr. Srinivasa Iyengar expressed regret and the President permitted him to move the reduction by Rs. 9,42,000.

Mr. Iyengar, in moving the motion, said that the Railway Board was as supreme as the Government of India and had its revenue and expenditure in the same proportions as the general budget. There was no sanctity attached to the Railway budget. They wanted that railways should be a transferred subject in charge of an Indian Minister. The Railway Board was an irresponsible body. First class appointments like those of the Chief Commissioner and Members of the Railway Board were appointed without reference to the Assembly. He recalled it was an integral part of the convention that Indianisation should be proceeded apace and Indians should be appointed to the Railway Board.

Mr. Srinivasa Iyengar maintained that this question was also a recommendation of the same resolution just as the Convention was, and though it was made apart from the Convention it became a further convention. Why take shelter under technical evasions? He further held that the Board should not be a technical body but a business body and Indians were available to man it to-day. There was mal-administration and gross breach of trust as was shown by the scandal. Sir Charles Innes had made virtue out of necessity in welcoming the Raven Committee's stricture. He finally charged the

Government that the Indian point of view had not been kept in connection with the Railway administration either in the matter of constitution or power of the Board or power of the legislature. The Indian point of view was not kept in view as was shown by the sorry tale of extravagance in respect of wagons and stores. It was still an alien administration out of touch with the Indian requirements.

Sir Charles Innes, replying, wished the attack had been directed to him and not to his railway officers; for, he maintained, the Railway Board was a technical body and did not control the policy. As for Indianisation, he recalled his words three years ago which did not hold out the hope of the early appointment of an Indian to the Railway Board. An Englishman or a Scotchman disliked nothing more than that he be charged with breach of faith. The Railway Board was a technical body and its appointments were prize posts for railway service and must go to men who had earned them by excellent work. It would be dereliction of duty on his part to recommend supersession to appoint an Indian. He realised the point of view of Indians that the Railway Board was a close corporation from which Indians were definitely excluded (hear, hear) but they must realise his point of view also that Indianisation was purely a question of time. He admitted that the Indianisation policy was belated; but it was having full effect and Indians were coming to the top. There was an Indian Chief Engineer and an Indian Superintendent.

#### Reduction Motion Carried.

The motion of Mr. Srinivasa Iyengar for a cut amounting virtually to the total rejection of the demand was then put to vote and carried by 59 votes against 52. The House then adjourned.

#### Capital Programme.

On the 24TH FEBRUARY, Pandit Kunzru moved a cut of Rs. 1 and wanted to know what their commitments would be in respect of rehabilitation and capital programme. As for new construction he wished they went at a less rapid rate than they were doing at present. Let there be no undue burden on their resources in respect of interest charges.

The motion was put and negatived.

#### Railway Stores Policy.

Pandit Kunzru next moved a cut on demand under the Railway Board to protest against the purchase of stores direct without assistance and consultation of the Stores Department. The existing policy of the Government in general and Railways in particular for buying stores was highly objectionable. If stores were not bought through the Stores Department why was that department at all maintained?

The Chair put the motion cut to vote and declared it carried. This being contested, division was called and Mr. Kunzru's motion was carried by 66 against 44 votes.

#### Separation of Railway from General Finance.

Mr. Kunzru next raised the question of separation of railway finance from general finance and made suggestions in respect of changes called for in the convention on the subject. After discussion, Pandit Kunzru withdrew the amendment on receiving the assurance that the House would be given an opportunity of discussing the matter.

#### Enquiry into Railway Employees' Grievances.

Mr. M. K. Acharya raised the question of Government not accepting the Assembly's resolution in 1925 recommending inquiry into the grievances of the subordinate railway employees. He described the attitude of the Government as one of great lack of sympathy and said that resolutions had since been passed by the conference of employees and All India Railway Federation earnestly praying for a commission of inquiry. Mr. M. K. Acharya gave a detailed list of grievances as received by him from employees particularly in regard to low wages. The plight of employees was indeed like that of a drowning man. Would not Sir Charles Innes with weight of his authority and influence come to their rescue by at least agreeing to appoint a committee of enquiry?

The motion was under discussion when the Assembly adjourned till next day, the 25TH FEBRUARY, when the motion of Mr. Acharya was pressed to division and carried by 54 against 47 votes.

#### Extension of Assam Railway.

Sir Darcy Lindsay then moved a cut of Rs. 1 for drawing attention to the failure of the Railway Board to consider the possibility of railway communication between Gauhati

and Shillong. This was withdrawn on Sir C. Hindley assuring that Motor transport served better than Railways in the Assam Hill roads.

#### Decentralisation of Railway Board's Work.

Mr. Kelkar next moved a cut to elicit information whether the Railway Board had any scheme of decentralisation of board's work and power of supervision and control laying special stress on want of close touch of officials with public opinion. He urged that the advisory committees should not be confined to metropolitan cities, but should also be formed in mofussil. He suggested that committees be formed on the lines of those which existed in Prussia to which reference had been made by the Acworth Committee.

On receiving the assurance that all suggestions made in the debate would be fully considered, Mr. Kelkar withdrew his motion.

#### Concession Rates to Indian Manufacturers.

Mr. Kelkar next raised a grievance against railway rates of trade in relation to Indian manufacturers. He traced the history of this demand since 1915 when it was made in the Imperial Legislative Council and said the Railway Department never conducted proper investigations into the applications made by Indian manufacturers. He instanced inter alia the case of Kirloskar Brothers who manufactured agricultural implements. Such implements manufactured in England were imported at preferential rates by the Customs Department but the Railway Department took another view and would not allow concession even when this iniquity was drawn attention to by Dr. Harold Mann endorsing the application of Kirloskar Brothers. This was ultimately withdrawn by the mover.

#### Regulation of Expenditure.

Pandit Nilkantha Das then urged that expenditure should be regulated. He complained that expenditure was growing more and more because they were all raising the standard of living unnecessarily by imitating Europeans. This morning there was a view expressed that the salary of Indians should be raised to the level of Anglo-Indians. Why should this be done? On the other hand the tendency should be to make Anglo-Indians adopt a lower standard. At any rate Indians must not unnecessarily raise their own. The motion was finally lost.

#### Reduction of Petrol Rates.

Col. Crawford by a token cut pressed on the attention of the Government the necessity for reduction of petrol rates and providing facilities for carriage of petrol in tank wagons. Sir Clement Hindley promised to look into this question of petrol rates after consulting the Agents and informed that they were watching the question of carriage of petrol in wagons.

*Other cuts on the agenda were not moved and finally the first head, the Railway Board, was passed by granting for it the reduced sum of Rs. 98*

#### Inspection Demand.

The second head related to inspection. Mr. Duraisami Iyengar objected to the salaries of certain officers being put as non-votable while they should have been put as votable. He based his objections under provisions of the Act which required that Inspectors should be appointed by the Governor-General in Council and as such their salaries must be made votable. The Assembly then adjourned.

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#### Higher Appointments in S. I. Railway.

On the 26TH FEBRUARY, Mr. Rangaswami Iyengar moved a cut of over Rs. 2 lakhs to protest against the proposal of S. I. Railway to add to higher appointments while continuing to pay starvation wages to lower employees. He added that this railway was most inefficient and that there was nepotism. The motion was rejected.

#### Pilgrims' Grievances.

Pandit Kunaru by another token cut raised the grievances of pilgrims who are sometimes taken in wagons. He brought this matter particularly in view of the forthcoming Kumbha Mela at Harwar. If it was felt absolutely necessary to carry pilgrims in wagons then it stood to reason that they must get some rebate in fares. This was withdrawn.

## Reduction of 3rd Class Fares.

Mr. Acharya moved a cut to urge reduction of 3rd class fares. Reduction effected in respect of long journey helped only a very small proportion of passengers.

Sir Charles Innes, in opposing the motion, contended that the reduction of fares on East Indian, North Western and South Indian Railways had given a loss of Rs. 67 lakhs in eight months in spite of increased traffic. The Railways had gone as far as possible in the direction of reducing the fares. He emphasised that third class travelling in India was the cheapest in the world. The motion was lost.

## Administration—Working Expenses.

Sir Charles Innes then moved for Rs. 1,330 lakhs in respect of working expenses under administration.

Mr. Prakasam moved a cut of Rs. 2 crores. He said the budget showed that no less than Rs. 65 were being spent in working expenses for every hundred rupees gross receipt. He elaborately mentioned to the House the result of his examination of Japanese figures and their comparison with corresponding expenses incurred in India. Thus, while in India, between Rs. 2,500 to Rs. 4,000 were paid monthly to the Agent and Rs. 6,000 to the Chief Commissioner for Railways, the salary in Japan of the Chief Commissioner for Railways did not exceed Rs. 1,020 per mensem. In India itself, the House must be aware that men like the Right Hon'ble Sastri worked patriotically for the sake of the country on mere pittance received from the Servants of India Society. If only the Government had for 60 years tried to open up these ranks to Indians, it would have enabled them to run railways at half the cost. The motion was put and lost.

Mr. Aney next moved a cut to protest against the violation of the Lee recommendation for giving 75 per cent of vacancies to Indians. During the year 223 appointments were made, of whom 132 went to Europeans, while only 86 to Indians including statutory natives of India.

Sir Charles Innes replied that on the State Railway between April to February 35 per cent appointments had gone to Europeans and 65 per cent to Indians and the reason why 75 per cent was not reached was the paucity of mechanical engineers in India, but the Government, fully mindful of working up to 75 per cent at the earliest possible date, were making arrangement for mechanical training and were employing Europeans temporarily on short contracts so that these appointments did not affect permanent proportion of the service.

Mr. Aney pressed the motion to division and it was lost by 45 against 43.

The demand under head "Working Expenses-Administration" was therefore carried without any reduction.

## Repairs and Maintenance.

The next head related to the working expenses, repairs and maintenance and operation. Mr. Shunmugham Chetti moved a reduction of Rs. 60 lakhs in the amount of 10 crores set apart for repairs and maintenance charges of rolling stock. His authority for moving this cut was the Raven Committee's report. This report had clearly remarked that the repairs were not being carried out as economically as they should be and that with better organisation and better methods of production, it should be possible to reduce the expenses to the level of expenses in England. The costs in regard to locomotives were 33 per cent higher than in England, 100 per cent higher in the case of coaching vehicles and another 100 per cent in case of goods vehicles. These worked out four and a half crores higher, but he pleaded that the Government should give an earnest of their intentions to adopt the recommendations of the Committee by agreeing to at least half a crore. The motion was pressed to division and lost amidst official applause.

The total demand under this head namely Rs. 39,67,00,000 was then carried without reduction.

## Other demands.

At this stage (5 p.m.) guillotine was applied and other ten heads of the budget were passed. The Congress party and in some cases also the Nationalist party crying "No" but not challenging a division. Thus after 4 days' voting except that the first head the Railway Board which was given a reduced sum of Rs. 98 out of Rs. 9,48,000 the Railway Budget was sanctioned in entirety. The Assembly then adjourned.

## The Financial Statement for 1927-28.

The House re-assembled on the **1ST MARCH 1927** to hear the speech of Sir Basil BLACKETT on the Budget for 1927-28. No appreciable reduction in taxation is proposed, but the duty on motor car and hides, export duty on tea and stamp duty on cheques are all to be affected. Some of them reduced and others abolished. Permanent remission of provincial contributions by 8 and half crores is made and Bombay gets the lion's share while Bengal is relieved to the extent of 9 lakhs leaving 54 lakhs. The actuals of expenditure under military for 1926-27 are expected to exceed the estimates by 68 lakhs.

In the course of his speech Sir Basil Blackett said :—

Customs receipts are expected to exceed the estimate by 180 crores, as a result of the buoyancy of the yield from sugar and protective duties. The Proceeds in 1925-26 of the sugar duty were 71 lakhs more than for 1924-25 and nearly double those of 1923-24, and were thought to have been inflated owing to the heavy fall in the world price of sugar in that year. But our cautious estimate of 570 crores for 1926-27 has now to be raised by 1.25 crores. Protective duties on steel in spite of their success in giving protection have proved unexpectedly efficacious in bringing in revenue and are now expected to produce 2.25 crores as against an estimate of 2.25 crores. This represents of course the total proceeds of these duties, not simply the excess over what the ordinary revenue duties would have brought in.

Taxes on Income are now estimated to bring in 29 lakhs less than the Budget estimate of 16.15 crores, but this is due almost entirely to an increase in refunds in connection with double income-tax relief consequent on the reduction in the standard rate of income-tax in Great Britain.

Our receipts from Salt were fully up to anticipations up to the end of December, but the hope, however slenderly buttressed, that the new Budget might bring a reduction of duty seems to spring eternal in the breast of the salt merchant and the most recent figures suggest that clearances have been retarded pending the opening of the Budget. If so, the March figures may show a substantial recovery, but I have felt it prudent to place the revised estimate at 6.70 crores, a reduction of 20 lakhs on the original estimate.

The net receipts from Opium are now estimated at 8.12 crores, an improvement of 66 lakhs on the Budget figure. We were unduly cautious in our forecast of the immediate effect of our new policy of restricting exports, while a poor crop succeeding three successive bumper years led to a saving of 48 lakhs in our payments to cultivators, etc.

There is no change in the figure of 6.01 crores for the Railway contribution, and among other revenue heads I need only mention a special receipt of 81 lakhs on account of German reparation which represents a payment in respect of the period before 1st April 1926 and does not therefore go direct to reduction or avoidance of debt under the provisions of the Finance Act of 1925.

### Expenditure, 1926-27.

On the Expenditure side the most important variations are an excess of 67 lakhs in the net Military expenditure and a saving of 82 lakhs on interest on dead-weight debt. The latter is due to the reduction in the rate of interest paid on new borrowings. The excess on the Military Budget arises mainly from the necessity of increased expenditure on purchase and manufacture of ordnance and other stores amounting to 70 lakhs. Unfortunately this is not a non-recurrent but a recurrent increase explainable by the fact that we have come to the end of our power to draw on the surplus stores left over after the War.

The revised estimate of revenue comes to 130.25 crores and the revised estimate of expenditure to 127.15 crores as compared with the original estimate of 130.43 crores and 130.88 crores. Thus for the fourth year in succession we are left with a realised surplus. The revised Budget of 1926-27 shows a balance on the right side of 8.10 crores.

These figures are drawn up on the basis which has been customary for the purpose of the presentation of the Indian Budget for many years but, as pointed out by the Public Accounts Committee in their Report on the Accounts of the year 1924-25, they do not, strictly speaking, represent either the gross or the net revenue and expenditure of the Government of India. A break of continuity is always to be deprecated. I have not thought it desirable to depart from the method of presentation sanctioned by past practice. There are indeed drawbacks in any form that might be adopted. But that the present form is, in some ways, inconvenient and may even be misleading is illustrated by our experience in 1926-27. In spite of considerable improvements in the main Revenue heads, it is very surprising to discover that the revised estimate of revenue for 1926-27 actually



shows a decline of 18 lakhs as compared with the original estimate. The explanation has to be found in the way in which Railway figures are brought into the figures of the General Budget. Both the receipts and expenditure on Railway Account, which appear as items in the General Budget, are substantially lower in the revised Budget than in the original. Yet the Railway contribution is exactly as originally estimated and has undergone no change whatever. The revised surplus of 8.10 crores for 1926-27 is accounted for to the extent of rather over 3 crores by a real improvement in our revenue; yet the revised figure for revenue is less than the original. The figures of net revenue and expenditure referred to below give a truer picture in this respect. On the other hand, the net figures tend to obscure the magnitude of the Government of India's activities and of the expenditure which they and the Assembly control. We must turn to the gross figures to get an adequate conception of what these are.

The gross expenditure of the Government of India including the working expenses of the Railways and of the Posts and Telegraphs and Irrigation Departments aggregates well over 300 crores. The exact figure is 304.72 crores. Even this figure contains small items of expenditure which are shown net—not gross—in our accounts. I have not imposed on the Finance Department, to whose loyal and exacting labours during the Budget season the Government and the Assembly and in a special degree the Finance Member are deeply indebted, the task of arriving at exact figures in this connection. For the purpose of presentation of the facts to the House and the country, the gross expenditure figure of 304.72 crores conveys a sufficiently true picture.

The task of working out accurate figures of our net revenue and expenditure requires preliminary decisions on many problematical points, for example, the question arises whether expenditure on the collection of taxes should appear as expenditure or as a deduction from the revenue raised by means of those taxes; or again, whether the interest received on our advances to the Provincial Loans Account should be treated as a deduction from our interest charges or as revenue. Statement D of the Budget sets out the figures of net revenue and expenditure on the same basis as last year. According to that our net expenditure amounts to 84.07 crores. One fact which the figures of net revenue and expenditure bring out with somewhat startling clearness is the extent to which under the reformed constitution the activities of the Government of India have been transferred to the Provincial Governments, the functions of the Central Government being limited in the main to the defence of India, her relations with the exterior and with the Indian Princes, major communications, the Public Debt and the Currency, some miscellaneous duties in connection with subjects such as surveys, archaeology and research, and the responsibility for general superintendence, direction and control of the Provincial Governments.

#### Debt position.

In the year 1926-27, while our total debt will have increased from 969.04 to 975.541 crores, our sterling debt will have decreased from 456.55 to 453.40 crores. Our productive debt will have increased from 737.98 crores to 778.83 crores, and our unproductive debt will have decreased from 234.06 to 201.71 crores. Satisfactory as these figures are in themselves, they are still more pleasing in their reaction on our Budget expenditure and on the rate of interest at which we borrow in India whether for new capital outlay for productive purposes or for repayment of maturing debt. Thanks mainly to our policy of making regular provision for reduction or avoidance of debt, we borrowed in the market in India at the rate of 4.69 per cent, subject to income-tax in 1926 as compared with 6 per cent tax-free in 1925, and the charge on the Budget of 1927-28 for interest on debt-weight debt is about 5 and half crores less than it was in 1925-26, a saving considerably larger than the total amount of our present provision for reduction or avoidance of debt.

#### Budget estimates for 1927-28—Revenue.

The ground is now cleared for the presentation of the figures of revenue and expenditure of 1927-28. I put the net revenue from Customs at 49.15 crores, an increase of 2.75 crores over the original estimate and of 1.45 crores over the revised estimate for 1926-27. Allowance has been made for a reduction of about 40 lakhs in the revenue from protective duty on steel owing to the effect of the new Steel Industry Protection Bill. It is wise to anticipate some reduction in the imports of sugar as compared with the very high figures of the past two years. The reductions under these two heads should, however, be compensated for by the normal growth of revenue under other heads.

Under the head of 'Taxes on Income,' I put our net receipts at 16.50 crores which is 26 lakhs more than the Budget figure for the current year and 66 lakhs more than the original estimate. The improvement under this head is due in part to slightly more

profitable trade generally and in part to the substitution of tax-subject for tax-free Government of India securities.

The original estimate of revenue from salt duty for 1926-27 was 6.90 crores and I put the figure for 1927-28 at 7 crores, the increase being justified on the basis of the normal growth in consumption.

Under the head 'Opium' we have to allow for a reduction of 10 per cent in our exports in accordance with the policy announced last year. On the other hand, the considerable reduction which has been effected in the area of cultivation curtails our outgoings. I put the figure for gross revenue from Opium at 2.85 crores, which is 25 lakhs less than the revised figure for the current year, and the expenditure at 91 lakhs which is 16 lakhs less than the figure in the revised estimates for 1926-27. The net revenue will accordingly be 2.93 crores as compared with 2.12 crores in the current year.

The net receipts from Railways for 1926-26 were considerably below those for 1924-25 and in spite of the increased value of 1 per cent on the capital charge, the contribution falls from 6.01 crores in 1926-27 to 5.48 crores in 1927-28.

Our receipts under other heads of revenue are estimated at 15.70 crores, being a reduction of 1.74 crores from the original estimate for 1926-27. This estimate assumes the continuance, pending the inauguration of the Reserve Bank, of the present practice of crediting to revenue the excess over £40 million in the Gold Standard Reserve and the income from investments of the Paper Currency Reserve. The amount of these receipts has, of course, been diminished as the result of the reduction both of the sterling and of the Government of India rupee securities in the latter Reserve.

Our total estimate of revenue for 1927-28 comes to 128.96 crores as compared with an original estimate of 180.43 crores for 1926-27 and a revised estimate of 180.25 crores.

#### Expenditure.

I estimate our net military expenditure for 1927-28 at 54.92 crores, or almost the same figure as the original military estimate for 1926-27, but 86 lakhs less than the revised figure for that year. The disappearance of post-war charges for demobilised officers accounts for a saving of 64 lakhs, but this is counterbalanced by the extra provision necessary for the expansion of the Air Force, by increased expenditure on improving the barrack accommodation for both British and Indian troops, and by the necessity for an additional outlay of 90 lakhs on ordnance and other stores to which I have already alluded.

#### Civil expenditure.

The most significant variation in our civil expenditure from the figures of the current year occurs under the head 'Interest on dead-weight debt,' which I put at 10.63 crores as compared with 12.53 crores in the Budget for the current year. I have already drawn attention to the way in which our steady adherence to the policy of making regular provision for reduction and avoidance of debt and confining new borrowings to productive purposes in bringing in an annual dividend to the tax-payer in the shape of a progressively increasing saving in the charge for interest on dead-weight debt. The saving in gross interest charges is not less striking and the people of India are securing year by year, in addition to the tax-payers' saving on interest on dead-weight debt, all the advantages of lower interest charges on the capital which is being newly invested in productive works of development. This benefit is felt alike by the Railways, the Irrigation and the Forest departments, and the Provincial Governments as a whole to whom an improvement in the credit of the Government of India brings a much-valued boon in bringing down the rate of interest they have to pay on the sums borrowed by them from the Provincial Loans Fund emitted from the market.

#### Beneficial services.

For the last two years, the Government of India have been seeking gradually to restore some of the cuts made on the advice of the Retrenchment Committee in the Government of India's expenditure on beneficial services. It is no reflection on the Retrenchment Committee to say that some of the cuts were short-sighted. Temporary expedients had to be adopted in the existing financial situation, it was absolutely essential that expenditure should be reduced and it is to the labours of that Committee that we owe our present ability to take a somewhat longer view. Among the new items of expenditure, which have been approved by the Standing Finance Committee, I would draw special attention to the five-year programme for the expansion of education in the Frontier Provinces and other territories directly administered by the Government of India. This programme was drawn up by the Department of Education, Health and Lands on the suggestion of the Finance Department and is, we hope, only the first of a series of

programmes relating to the other activities of that Department which largely monopolises the privilege, so far as the Government of India is concerned, of watching over those comparatively few services which have not been transferred to the Provincial Governments, where expenditure is directly and obviously related to the advancement of the social well-being of the masses of the people. The programmes for additional expenditure on sanitation and other services are not yet ready, though individual items of new expenditure on their services are included in the estimates for 1927-28. The educational programme which extends up to 1931-32 involves, during the five years, an additional non-recurring expenditure of 29 and three fourth lakhs and a recurring expenditure, rising gradually from 4 lakhs in 1927-28 to 10 and half lakhs in 1931-32. The total amount of additional expenditure for the years 1927-28 is just under 12 lakhs.

#### Post and Telegraphs.

The Indian Postal and Telegraph Department is, as the House is aware, treated not as a profit-earning institution but as an organisation whose energies are directed to supplying postal and telegraph facilities to the general public in as full a measure as is compatible with the fundamental principle that the Department should not be a burden on the general taxpayer. Under normal conditions, the working expenses and interest charges should be, as nearly as possible, the same as the gross revenue of the Department. With the gradual improvement in trade, it is permissible to hope that the revenues will grow to an extent sufficient to show a substantial surplus over working expenses and interest charges. But that happy state of affairs is not yet actually in sight. It is clear, therefore, that any important reduction in the present postal and telegraph rates cannot be secured without saddling the general taxpayer with the necessity of paying a heavy subsidy.

In the case of the Indo-European Telegraph Department, the estimated net results of working in 1927-28 show a small loss of 3 lakhs which is slightly more than the figure in the current year.

Our estimate of the aggregate expenditure of the Government for 1927-28 comes to 126.26 crores. Our estimate of revenue on the basis of existing taxation is, as already stated, 128.96 crores, resulting in a surplus of 2.70 crores.

The surplus of 2.70 crores for 1927-28 is arrived at on the assumption that there will be no departure during the year from the established rate of exchange of 1s. 6d. per rupee. The House will, I know, desire to be informed what effect a reduction of the rate of exchange from 1s. 6d. to 1s. 4d. would have on the Budget figures which I have presented. It is by no means easy to arrive at an accurate estimate. In a statement which is being circulated to-day, the many and various considerations which have to be taken into account in order to show the effect of a reduction to 1s. 4d. on the Budget for 1927-28 are set out in some detail. The effect on the Budgets for the following years is also considered in the same statement. The conclusion arrived at is that on the assumption that during the year 1927-28 it will be unnecessary to compensate any Government employees in any way for the loss of approximately 11 per cent. in the value of their wages, the reduction of the ratio to 1s. 4d. would result in 1927-28 in a total worsening of our position by 5.26 crores. I do not feel that it is my duty to-day on behalf of the Government to make suggestions how the resulting deficit of 1.56 crores should be provided for.

#### Changes in taxation.

The surplus of 2.70 crores is arrived at on the basis of the existing level of taxation. With 5.45 crores of Provincial contribution apart from Bengal's contribution of 68 lakhs still unliquidated, it is obvious that we cannot afford to give away any important portion of the surplus in reduction of taxation if we are to live up to our declared intention of directing our financial policy to the reduction and eventual extinction of the Provincial contributions as soon as may be. We are, therefore, not yet in a position to make full use of the valuable report of the Taxation Enquiry Committee whose recommendations the Government and the country have been studying during the past year. I shall, I hope, have the approval of the House in saying that our general policy as regards taxation ought to be directed first towards a more equitable distribution of its incidence, so far as that may be attainable with due regard to the other canons of taxation, and the abolition of those imposts which are obnoxious in principle, such as some of the existing export duties, and that, when our finances permit, we should aim at a gradual reduction of taxation to a level which will give some relief to the tax-payer and leave a larger margin available for the Provincial Governments' needs. Once the Provincial contributions have been extinguished, we shall find ourselves in a freer atmosphere in which we can consider the question of taxation entirely or almost entirely from the standpoint of

the Central Administration. With a surplus of 2.70 crores, the House will, I think, not desire us to propose additional taxation for the purpose of increasing the surplus. In 1937-38 therefore, we clearly cannot do more than effect minor changes, the net results of which will not be seriously to modify the surplus of revenue over expenditures.

#### Export duty on hides.

The first proposals which I have to put before the House in regard to taxation affect two of our existing export duties, the export duty on hides and the export duty on tea. The export duty on hides has been condemned by the Finance Commission and the Taxation Enquiry Committee as wrong in principle and dangerous in effect. The trade is at present in a depressed condition and the Government have for some years seen no justification for the retention of the duty except on purely revenue grounds. The export duty on hides, which is open to some of the same objections, is both more productive and less positively harmful than the export duty on hides, and we do not feel that we are in a position this year to propose its reduction or abolition. We do, however, propose the immediate abolition of the export duty on hides involving a loss of 3 lakhs of revenue.

#### Export duty on tea.

The export duty on tea brings in approximately 20 lakhs a year. Our finances clearly do not permit of its abolition unless we can find some means of compensating ourselves for the loss involved. Fortunately, we are in a position to make a proposal which will secure the disappearance of the export duty on tea with no ultimate loss to the revenue and at the same time offer definite advantages to the producers of tea. The tea companies are now assessed to income-tax at 25 per cent. only of their total profits, the balance being regarded as agricultural income and therefore not liable to income-tax. The proportion of 25 per cent. was based on imperfect data and later enquiries show that the non-agricultural profits of the tea companies amount to at least 50 per cent. of the whole. The Government, therefore, propose that the export duty on tea should be abolished and that the tea companies should in future be assessed to income-tax at 50 per cent. of their total net income, subject to the proviso that where there is a market for green tea and the non-agricultural profits can be exactly ascertained, income-tax should be assessed on the total of such non-agricultural profits. The abolition of that export duty on tea costs us 50 lakhs. We expect to get an additional 45 lakhs from income-tax on the non-agricultural profits in 1937-38 rising to 60 lakhs in 1938-39.

#### Import duty on motor cars, etc.

The next proposal which the Government have to make is one which will, I hope, be universally popular. We propose that the import duty on motor cars should be reduced from 80 per cent. to 20 per cent. "ad valorem" and the import duty on tyres from 20 to 15 per cent. After making allowance for the stimulus to imports which this reduction of duty is expected to give, I estimate the cost of this proposal at 10 lakhs only. The reduction is in accordance with the views of the Taxation Enquiry Committee which rightly drew attention to the importance of encouraging the development of motor transport in India. Neither the Government nor, I think, the House would feel perturbed if the Provincial Governments seized the opportunity of this reduction of the import duty to impose Provincial taxation on the users of motor cars for the improvement and development of their systems of road communication.

#### Import duty on rubber seeds.

There will be found included in the Finance Bill a provision for removing to the list of articles which can be imported free of duty rubber seeds and rubber stamps which are at present subject to a duty of 15 per cent. "ad valorem." The proceeds of this duty are inconsiderable but it is hampering an important adolescent industry in Burma, whose production promises to become an increasingly valuable item in our export trade. The Government of Burma have made a special representation to the Government of India in support of this concession. We are very glad to be in a position to meet their wishes.

#### Stamp Duty on Cheques.

I have one more proposal to make for reduction. The Government have decided to accept the recommendation made independently in several quarters and endorsed by the Currency Commission that the stamp duty on cheques should be abolished. With a view to the development of the banking habit in India, we propose at the same time to abolish the duty on other Bills of Exchange payable on demand. For the moment, we do not propose the abolition of the stamp duty on Bills of Exchange not payable on demand which requires further consideration and will involve a loss of about 25 lakhs of revenue. It will be desirable that the abolition of the stamp duty on cheques and

other Bills of Exchange payable on demand should not come into force until the 1st of July next in order to give the banks time to make the necessary preparations. The cost of the abolition of the duty on cheques in a full year will be 7 lakhs but is estimated to amount for the nine months in 1927-28 to 5 lakhs only. This loss falls on the Provincial Governments but does not make any very material difference even to those Governments such as Bengal and Bombay, where the bulk of the duty is collected. In these circumstances, the Government do not think it necessary to compensate the Provincial Governments for the temporary loss of revenue involved, partly in view of the relief which will be given to those Government in other directions, as the House will presently observe, and partly because we hope to be in a position a year hence to bring forward proposals for a division of the Stamps Head into Central and Provincial, coupled with a revision of the Devolution Rules which will fully make good to the Provinces what they will give up under the head "Stamps." The cost of abolishing the duty on other Bills of Exchange payable on demand will fall on Central Revenues, but will not be considerable, and I have felt it unnecessary to make any special provision for it.

#### **Import Duty on Tobacco.**

Apart from the loss of 5 lakhs owing to the abolition of stamp duty on cheques which will not affect the Central Government's Budget, the proposed reductions and changes in taxation involves a diminution of our revenue by 24 lakhs. In order partially to cover this loss, the Government propose to increase the import duty on unmanufactured tobacco from Rs. 1 to Rs. 1-8 per lb, an increase which is fully justified on statistical grounds and while giving some additional production to Indian grown tobacco, will not materially affect the Indian cigarette industry which is now in a strong position. I expect to obtain 18 lakhs from this source.

The net effect of these measures on our estimates for 1927-28 will be a reduction of 6½ lakhs under the head Customs, and an increase of 45 lakhs from Taxes on Income, with the result that our surplus will then stand at 8-64 crores.

#### **Provincial Contributions.**

The natural use of a recurring surplus is to reduce Provincial contributions. I propose,—and I am sure that the House will unanimously agree—that our surplus should be devoted to a permanent reduction by 8 and half crores of the Provincial contribution distributed in strict accordance with the provisions of the existing Devolution Rules. This will leave only 1-25 crores of the contributions unremitted, excluding the Bengal contribution. Bengal is entitled to a share in the recurring remission of 8 and half crores to the extent of 9 lakhs, so that her contribution of 63 lakhs will be reduced to 10 lakhs. As, however, Bengal will not be paying any contribution during 1927-28, the actual cost to the Government of India of the permanent remission of 8 and half crores of the Provincial contributions will amount only to 8-41 crores in 1927-28.

Unfortunately the amount of our surplus is not sufficient to enable us to make a clean sweep of all the Provincial contributions. It falls short of the amount required by 1-61 crores. It is an interesting coincidence that the deficiency is approximately equal to the amount of revenue sacrificed a year ago when the Cotton Excise Duty was remitted. Even more unfortunate is the fact that the permanent remission of 8 and half crores, while bringing welcome relief to every Province, leaves 87 lakhs out of Bombay's contribution of 66 lakhs still unliquidated. The Bombay Government's Budget is, I am sorry to say, in a very unsatisfactory state. Bombay is faced with a considerable realised deficit on the working of 1926-27 and is under the shadow of a further estimated deficit of 51 lakhs in 1927-28 on other than Development transactions, which will be reduced to 32 lakhs by the remission of 19 lakhs of her contribution, this being Bombay's share of the 8 and half crores. The Bombay Government have made a very strong appeal for help to the Government of India. It is needless for us to embark upon a critical examination of the causes of Bombay's difficulties. Even though we might be inclined not to acquit Bombay altogether of responsibility in the matter, we must in fairness recognise that the existing Devolution Rule 15 regarding the grant to the Province of an interest to the proceeds of Taxes on Income which was designed for the benefit of Bombay and Bengal in particular, has altogether failed in its purpose. Any special claims Bengal might have urged in this connection have been liquidated by the relief already accorded; she has been relieved from 1922-23 onwards of the payment of any part of her annual contribution of 63 lakhs, a gift of the aggregate value of 815 crores up to 31st March 1927. The only corresponding gift made to Bombay was a special non-recurring reduction of her contribution of 23 lakhs for the year 1926-26 only.

In these circumstances, the Government of India have been convinced that a very special effort ought to be made in 1927-28 on Bombay's behalf. We are equally convinced

of the inexpediency of altering the existing Devolution Rule for the distribution of relief among the Provinces in a way which would help Bombay at the expense of other Provinces. Some other solution must be found and the Government of India propose to find it by having recourse to the realised surplus of 1926-27. This amounts, as I have already stated, to 8.10 crores. After careful consideration, we have decided that the best way out of our difficulty will be to use a part of this surplus for the purpose of remitting the whole of the remainder of the Provincial contributions for the year 1927-28. This procedure will permit us to meet Bombay's needs in full measure and enable her to balance her Budget for 1927-28 without in any way infringing the rights or arousing the resentment of any of the other Provinces. On the contrary, it will bring them additional and welcome relief. It will carry with it relief to all the Provinces from any liability to pay any contribution to the Central Government in 1927-28. I may add in order to make the story complete, that we propose also to relieve Coorg of her contribution of Rs. 12,000.

These measures will exhaust the surplus in the Central Government's Budget for 1927-28 and reduce to 1.29 crores the estimated surplus in the revised Budget of 1926-27. The proposals so far made regarding the Provincial contributions, while fully meeting Bombay's needs for 1927-28, do nothing to make up to her for the disappointment of her expectations regarding a share in the proceeds of taxes of Income under Devolution Rule 15 in the past year. In order that the Bombay Government may not feel that we are deaf to her claims on this account, we propose further that a sum of 28 lakhs out of the still remaining surplus for 1926-27 should be devoted to relieving Bombay of one-half of her contribution of 56 lakhs for the current year. We propose to couple this special concession with the condition that her Budget for 1927-28 shall show a balance on the right side. I am glad to know from the figures of the Bombay Budget presented in the Bombay Legislative Council last week, that there is every prospect of this condition being satisfied.

There remains a sum of 1.01 crores still left unallocated out of the realised surplus of 1926-27. I have already observed that the inauguration of the Reserve Bank in 1928-29 may cause some temporary diminution of the Central Government's revenue. It would be undesirable, if we can avoid it to make any special call on the tax-payer for the purpose of tiding over temporary Budget difficulties connected with the financing of the new Gold Bullion Standard and Reserve Bank. The Government accordingly propose to utilise the remainder of the realised surplus of 1926-27 as a nest egg either for the purpose of relieving the Budgets of 1928-29 and 1929-30 of temporary charges incident to the inauguration of the new currency system or for the purpose of increasing the strength of the reserves to be handed over to the Reserve Bank as cover for the note-issue or for both purposes, according as circumstances dictate.

#### Revenue Reserve.

The procedure which we propose is to open a special Deposit Account and pay into it the whole of the realised surplus for 1926-27. In the estimated receipts for 1927-28, there would be included a payment from this Account to revenue of the sum required to balance revenue and expenditure in 1927-28, on present figures 1.81 crores. The amount finally credited to revenue in 1927-28 would, however, be not this exact amount but such sum as may ultimately prove necessary in order to bridge whatever the final gap may be between the expenditure for the year and the ordinary revenue, apart from this assistance from the special reserve. In order that this may be done the Government propose to the House, at the time when the Finance Bill is taken into consideration, a special supplementary estimate covering the transfer to the surplus of 1926-27.

I desire to emphasise clearly the fact that the non-recurrent remission of the Provincial contributions must be regarded as definitely temporary, so that if a recurring surplus is not available a year, hence sufficient to enable us to make this remission permanent, it will be necessary either to restore the temporarily remitted contributions wholly or in part or else to propose fresh taxation.

The House will recognise that even though the Government are formally safeguarded against the accusation of counting unhatched chickens by the provision that the final portion of the Provincial contributions is remitted for one year only, they are clearly taking the risk that if the monsoon of 1927 is specially unfavourable, both the Government and the House, and in a special degree the Finance Member, will be faced next year with difficulties which will in a measure be self-imposed.

Our proposals are also open to another objection which I should be the last to minimise. They involve a diversion of the realised surplus of 1926-27 from its proper application to the reduction or avoidance of debt. The House will, I am sure, do me the justice of recognising that I have not been backward in insisting on the virtues of

strictness and purity in the matter of debt redemption. My defence for this lapse from virtue must be that complete liquidation of our liabilities to the Provinces in respect of Provincial contributions is a very big prize, justifying a very special effort, and that a succession of realised surpluses has enabled us to outdistance our own fixed programme of debt redemption in the last few years, and that the fixed programme remains unmodified and involves us in any case in a charge of 5.12 crores for reduction or avoidance of debt in 1927-28. We can, I think, justifiably make this concession without denying our principles, in order to secure the advantage for India, economic and social, and the stimulus to the successful working of the reforms, which will flow from the release of 5.45 crores of revenue to the Provinces for expenditure on those nation-building services which all true friends of India and of the Reforms have so deeply at heart.

Finally, we should not be unmindful of the fact that so long as Provincial contributions remained unliquidated, the occurrence of a bad monsoon, which would affect Provincial finances more directly and more severely than Central finances, would make the position of the Central Government an uneasy one in the face of demands from the Provinces for assistance from the Central Budget,—a state of affairs which will be fundamentally changed once we have ceased to exact any contributions. From the standpoint of our Ways and Means Budget, the complete release of the Provincial contributions make less difference than might at first sight be expected. It is improbable that the Provinces will find it expedient to embark immediately on heavy additional expenditure, as time will be required for working out plans and programmes. Indeed, so far as the year 1927-28 is concerned, I anticipate that the surplus of 1926-27 will, in effect, remain in our balances and be available temporarily for the avoidance of debt, so that the amount of new money which we shall ask for from the market, when we issue our Rupee Loan in the summer, will not be increased as a result of these proposals.

Let me sum up the Government's plans for dealing with the surplus of 1926-27 and 1927-28. The current year's surplus of 8.10 crores will be reduced to 2.83 crores by the special remission of 38 lakhs of the Bombay Government's contribution for 1926-27. This sum of 2.83 crores will be transferred in its entirety to a special reserve so that the revised estimate for the current year will not exhibit either a revenue surplus or a deficit. The next year's surplus of 5.64 crores will be supplemented by such sum, at present estimated at 1.81 crores, as may be required to be transferred from the special reserve in order that the out-turn of the year 1927-28 may also show neither a deficit nor a surplus. The credit balance in the special reserve at the close of 1927-28, at present estimated at 1.01 crores, will be kept in hand as a nest egg for use in connection with the inauguration of the new Gold Bullion Standard and Reserve Bank.

Concluding the Finance Member said :—

Each of the three Budgets laid before the Second Assembly was not only balanced at the time of its introduction but has presented India with an appreciable realised surplus of revenue over expenditure. The necessity of reducing the salt tax from Rs. 3-8 to Rs. 1-4 per maund in the Budget of 1924-25 postponed the beginning of the remission of the Provincial contributions. The Budgets for 1925-26 and 1926-27, relieved finally of the uncertainties of Railway Finance by the separation of the Railway Budget from the General Budget, effected a reduction in the Provincial contributions amounting to 2.75 crores or, if the Budget contribution be included, a reduction from 9.83 crores by 4.88 crores to 5.45 crores. In addition, the Budget for 1926-27 signalled the demise of the unlamented Cotton Excise Duty. In the first Budget, this new Assembly has before it proposals for the complete extinction, at any rate so far as the year 1927-28 is concerned, of the Provincial contributions.

I account it a great stroke of good fortune for myself and a happy augury for the financial work of the new Assembly that its first Budget should be the first since the Reforms in which our revenues are independent of assistance from the provincial taxpayer. Ever since the Reforms were inaugurated the Provincial contributions have been a millstone round the neck both of the Central Government and of the Provincial Governments of India poisoning their mutual relations and hampering their every action. Their quality even more than their amount, has strained the resources of the giver and the patience of the recipient. They have brought curses, not blessings, both to him who has given and to him who has taken. The year 1927-28 sets India free from this incubus.

It is true that final and complete freedom has still to be won and that we are still relying on the Budget of 1928-29 to consolidate the ground now occupied. The year before us must be devoted to a further and final effort to this end. But meanwhile the Provincial Governments will have at their immediate disposal large additional resources and they can turn confidently to the work of framing projects for the advancement of the

well-being of their citizens. Governments and, in particular, Finance Departments, and even Finance Members, are often taunted with being heartless and inhuman, and it is doubtless difficult and occasionally dangerous, to wax sentimental over figures. There is nothing to capture the imagination or stir the emotions in the figure of 5.45 crores. But what romance lies behind this figure when it is translated into spending capacity in the hands of the Ministers in the Provinces! It is always wise, when discussing figures and accounts, to remember that money represents nothing more than a power to command goods and services. The programme of educational expenditure in the territories directly administered by the Government of India, to which I referred earlier in my speech, involves over a period of 5 years a total expenditure recurring and non-recurring, of 68 lakhs. In addition to improved accommodation and a higher standard of teaching for hundreds of existing schools and thousands of existing scholars, these 68 lakhs represent something like 600 new schools and 30,000 children brought within reach, for the first time, of the privileges of education year by year. What will 5.45 crores a year, transfigured into goods and services, available year by year in the hands of the Provincial Governments, mean in the promotion of human happiness, in the prevention of preventable disease and ignorance, in the widening of the opportunities for a good life for many crores of the people of India! It is in the belief that by the acceptance of this Budget, Members of this House have it in their power to promote the health and happiness of millions of the masses of India that I commend the Government's proposals to the House and to the country."

### Civil Aviation Grant Passed.

There was a fair attendance on the next day the 2ND MARCH, when the House met with an important motion, being a Supplementary demand of Rupees ten lakhs for Civil Aviation. Sir B. N. Mitra made a long speech in commending the motion. He said that the money now asked for was really for acquisition of land for a future air harbour. The Standing Finance Committee had agreed to this subject to the question of policy being accepted by the Assembly. The essence of the policy was to ensure that India shall have an effective voice in the conditions on which contracts are given for services touching her shores and that opportunities were afforded for the investment of Indian capital and for training and employment of Indian pilots and personnel. From the questions put in this House, it was evident that members were taking great interest in the question of aviation. The Assembly itself ever since its establishment in 1921 has been voting money year after year for expenditure on measures which received the approval of the Standing Finance Committee. Aeroplane transport services were started in various parts of the world mostly in 1920 and since then Europe had about eighteen thousand miles of air lines in place of six thousand miles, America about eight thousand miles in place of 3,800, Africa 1,600 in place of 900 and Australia and Asia where there were no air lines in 1920 had 3,300 and 1,800 miles respectively. An important advantage of aerial over surface transport was speed. To the businessman, time was money and economy of time was of great advantage in regard to goods traffic. Aerial transport had other advantages over surface transport. Carriage of goods by air had several important advantages, particularly in the case of transit between different countries. After explaining the growth in air services in Great Britain under which the number of passengers and quantity of goods carried had increased, Sir B. N. Mitra said that in Australia the air services were now a useful and important feature of regular transport system. Japan too had taken up an elaborate programme of development of civil aviation which would take 20 years to complete. Aeroplanes had been used in certain countries for administrative purposes such as forest fire protection, survey of tracts, anti-malarial operations, ambulance and medical duties etc. It was, therefore, undesirable that India should lag behind other countries. Imbued with a spirit of progress India which was a continent even more largely benefitted than most other countries by the development of her air transport. As a matter of fact Burma Government was already making use of air service for the survey of about 1,400 miles of forest and Creek country in the Irawadi delta. With the development of air services between England and India, the transit between the two countries would take only five or six days, that between Bombay and Calcutta less than 12 hours, of Delhi Calcutta and Bombay within nine hours, Madras in a straight route would be a little more than 12 hours' journey and if night flying develops, Hongkong would be reached within 24 hours.



Proceeding, Sir Bhaspendranath Mitra said that however poor India might be, she could not wholly overlook the need for the development of her aerial transport. Unless India took an active interest in this matter, there was the real danger of this transport passing into the hands of foreign capitalists to whom India could not refuse the right of flight over her territory under terms of international Air Convention. He corrected the impression created by Dewan Chamanlal that the policy was to help England's supposed military adventures in the Far East. In the Budget of 1927-28 they had provided for the expenditure of about Rs. 4 lakhs of which only Rs. 70,000 was recurring and the balance was non-recurring.

Concluding Sir B. N. Mitra explained the details of the scheme as already published and said the air harbour at Karachi was being constructed with financial assistance from British Government and it was only proper that the Government of India should later on take over the harbour by paying back to the British Government the money they are spending on it. Apart from four main air harbours at Karachi, Bombay, Calcutta and Rangoon, it will be necessary gradually to provide a chain of aerodromes across the main air routes. With the approval of the S. F. O. A. a sum of Rs. 1 and a half lakhs has been entered in the budget for 1927-28 to meet expenditure on the acquisition of land for intermediate aerodromes on the main route from Karachi to Calcutta and Rangoon. An additional reason for incurring this expenditure at an early date was to enable the Government of India to exercise some control on the route adopted by foreign aircraft in their flights across India. This foreign aircraft has nothing to do with the Imperial Airways Company nor is it engaged on commercial flights, there being as yet no commercial air route traversing India. It is engaged on what is known as experimental, world flights.

After some discussion the Assembly passed the demand of Rs. 10 lakhs and adjourned till the next day when the Budget was discussed.

### General Discussion of the Budget.

On the 3RD MARCH, the House re-assembling, Mr. Rangaswami IYENGAR, General Secretary, Congress Party initiated the general discussion on the budget. Mr. Iyengar said that the budget had left him in a depressed state in spite of the Finance Member's sound financial methods. The House had repeatedly failed in its attempt to exercise its power on account of certifications. The Government, instead of enhancing their powers, was curtailing them. He complained specially of a large number of votable items which the Government had made non-votable such as passage money, travelling allowances and pensions of officials. Why should the Assembly be considered incompetent to deal with questions of the carpet in the Government House in Calcutta and state carriages and motors of the Governor-General? It was quite clear that the Government did not trust this House. The Government had thus been going on crippling the powers of the legislature both here and in the provinces. It was a travesty of truth to say that this Assembly had the power to conduce to the happiness of the masses.

As for the main budget, he said the tale of realised surpluses was that of over-estimating of expenditure and under-estimating of revenue, a tale which Mr. Gokhale was the first to raise in the Imperial Legislative Council, the defect of which had never been rectified. The Finance Member should have, instead of starting his provincial loans fund and debt redemption scheme, given relief to the tax-payer. Then again he protested against the proposed abolition of export duty on hides. His province had the industry of hides and skins alone to boast of and the present protection was thus proposed to be withdrawn. He had received a protest from the Hides and Skins Merchants' Association.

Mr. G. D. BIRLA said:—"The Finance Member, when presenting the Budget, announced with no little jubilation amidst cheers from treasury benches that he was in a position to place before this House a surplus budget for the fourth year in succession. I wish, Sir, I also had felt as joyful as my friends opposite on this occasion and had been in a position to swell the chorus of congratulations to the Finance Member. But my difficulty is that I cannot help feeling that although we have had the fourth surplus Budget in succession we did not have it without resorting to a large increase in taxation which the Finance Member has been able to conceal through his manipulation of exchange. Taking figures for 1924-25 we find the net expenditure in the year was Rs. 122 crores which at the gold rate of 1s 2-9-16d, ruling on 1st March of the year amounted to £ 80 millions. The expenditure budgeted for 1927-28 is 125 crores at

7 crores less than in 1924-25, so far as rupee figures go, but expressed in terms of gold this 135 crores at the exchange rate of 1s. 6d. comes to £78 millions which means we shall be spending in 1927-28 £18 millions more than we spent in 1924-25. Sir, to quote the Finance Member himself, money represents nothing more than power to command goods and services and that being so he cannot deny that he has already in the years 1925-26 and 1926-27 exacted from the taxpayer about £ 30 millions more than what he got in 1924-25 and by the end of 1927-28 he will have added another £ 13 millions to this exaction. In other words, in the triennium 1925-26 to 1927-28 he will have taken from the country about 43 millions or Rs. 64 and half crores more than he took in the year 1924-25. The real surplus in 1927-28, if expenditure were kept at the level of 1924-25 should have been about £18 millions or about Rs. 20 crores, which in the Budget presented to the House is only Rs. 8-64 crores. It did not require any great skill to present a fourth successive surplus budget with enormously concealed increased taxation and I do not know whether the Finance Member should claim any credit for it. It speaks volumes for the present unsatisfactory state of things that by means of manipulations the Finance Member has been able to exact such huge amounts as taxation without the knowledge and consent of the Assembly.

Sir Victor SABOON'S speech on the budget discussion was important as it dealt with a statement on the effects of 1s. 4d. rupee as he did in the Railway budget and was restricted to that subject during the short time at his disposal. Before doing so, he referred to the remark of the Finance Member in reference to the amount of revenue he has foregone by remission of the cotton excise duty. Sir Victor said :—"I sensed a note of disappointment in that the mill industry has not expressed, shall I say sufficient, lively spirit of gratitude for the relief afforded to it and I do feel that some explanation is due to the house for any such lapse. It may be that any lack of warmth is due to the fact that though the remission of duty relieved us of 8 and half per cent of the cost of our product, the exchange policy of the Government has penalised us to-day by over 5 and half per cent. In other words we have been given what is known as an Irishman's rise. I wonder whether if to-day it were announced that the leader of the house were to be given an increase of salary of Rs. 600 p. m. provided that he paid Rs. 1,000 a month more for a comfortable residence leased to him by a beneficent Government, I wonder whether we should see tears of joy coursing down his cheeks? I doubt it and that must be my excuse for any lack of warmth in the expression of gratitude on the part of mill industry.

Now, let me turn to the statement. As to para 2, I will content myself with saying that as fall in the cost of living has been negligible during rise from 1s. 4d. gold to 1s. 6d. gold I see no reason to anticipate readjustment of an adjustment to a ratio which has never taken place. In para 3 (a) I accept the statement that there will be an extra expenditure of rupees necessary for sterling obligations, but I cannot accept the estimate in 2, (b) of a 7 and a half per cent increase in the costs of local produce. Experience has shown them that prices have not adjusted themselves in the aggregate except to a trifling degree to the 1-6 ratio and so I would suggest dividing the estimate by about 4 and allowing say Rs. 80 lakhs instead of Rs. 112 lakhs. I now pass to 4 (c). Here the author of the statement trots out the bogey of general dislocation of trade whose parents are the two bogeys called sudden rise in prices and financial effects of a sudden drop in exchange or the Sir Basil Blackett bogey. I have previously shown the house how little the cost of living has dropped through rise in exchange and how little it, therefore, is likely to rise through proposed exchange readjustment. That disposes of the bogey of high prices as far as the consumer is concerned. Now for the bogey that a sudden drop of 3d. to 1s. 4d. would cause an acute crisis, I ask how? To-day importers have, I have been creditably assured, covered all their forward commitments. They have learnt the lesson of not trusting Government assurances and are now not gambling in exchange. A drop in exchange, therefore, would on the contrary, engender confidence in a body of merchants who have been having a very thin time during the last few years and by stimulating business offer an opportunity to the large class of unemployed clerks of finding new situations and thus be in a position to earn their daily bread once again. I therefore see no reason for estimating a deficit of crore in returns due to dislocation of trade. On Messrs. Hardy and Tottenham's minute, one need not waste time. If we take Mr. McWaters' note to the Currency Commission, we find the estimated gain to customs through a return to 1s. 4d. rupee as being Rs. 262 lakhs. He assumes admittedly no diminution of imports. The authors of the joint memorandum, Messrs. Hardy and Tottenham give what diminution they consider will ensue and by this means turn Mr. McWaters' profit of Rs. 362 lakhs into a loss, a difference of Rs. 886 lakhs. I will only say that if the effect of a 11 per cent rise in

Q. I. F. prices of imports is going to have all that influence on consumption, a drop all round in import duties under 100, 50, rupee should increase the net return to the Government appreciably.

Next day, the 4TH MARCH, resuming the Budget discussion, Mr. Shanmukham CHETTI contended that the form in which the budget was presented was grossly misleading and the confusion would be removed if the net contribution from the Railways was included in the budget. Further, he wanted that a Railway loan fund be instituted on the lines of Provincial Loans fund.

Continuing, Mr. Chetti asked if the Government has taken any steps to receive from the Persian Government Rs. 3 and a half crores given them as loan. This was given in a year when the Viceroy doubled the salt tax. During the last three years, the realised surplus had amounted to Rs. 13 crores and utilised for reduction or avoidance of debt. The taking away of this huge sum from the revenues of the country setting apart for reduction of debt in addition to permanent remissions made for sinking fund was a matter on which this House could not congratulate the Finance Member, but he unreservedly congratulated the Finance Member on the clever manner in which he managed the ways and means budget during the last few years, especially the reduction of cash balances in England which latter alone had been brought down from 16 crores. But the Government had been spending more money than they ought to and they had been enabled to do this by artificial appreciation of the currency because the expenditure had increased in terms of gold from 78 million pounds to 98. Though he was keenly alive to the much needed relief to the Madras province, yet if the remission of contributions was to be purchased at the cost of permanent injury to India's monetary system then, he for one would refuse to be a party to such an arrangement.

Sir Purnshottamdas THAKURDAS felt it his duty to his constituents and his country to criticise the budget on a few points. As regards the abolition of export duty on hides, his objection now was of course greater than when the Government once attempted to reduce the duty. He would, however, bring in an amendment to the Finance Bill. As regards the abolition of export duty on tea, he did not object to it provided the Finance Member was able to convince him that the income-tax Government proposed to raise on profits of tea industry would not mean any injustice to the industry.

As regards remission of the provincial contributions he would not congratulate him because the money now proposed to be distributed was taken from poor agriculturists twenty times more under a policy which Gladstone once described as law of force. Any province which thought it was a gift from the Central Government was labouring under a very wrong impression. He would not be surprised if those who understood the problem should show the ingratitude of refusing the gift. Could Sir Basil Blackett give the Assembly an assurance that the whole of this remitted portion of contributions would be utilised by Ministers in Transferred departments and not be taken away by Reserved departments in the provinces?

Alluding to the effect of one and four ratio, Sir Purnshottamdas said that it was admitted by the Government that they gained Rs. 5.27 crores if they had 100, 50, ratio. Thus, as Sir David Barber once pointed out, just as much as the Government of India gained by the appreciation of rupee there was so much that people lost. Yet Sir Basil Blackett had talked of the romance of 600 schools and 30,000 children and asked the House to multiply them proportionate to the figure of the remission of contribution. But behind this romance lay the tragedy for the Finance Member's policy which was disastrous. What was the use of education when people were hungry and in a condition of semi-nudity? (Hear, hear). He wondered if this House could be a party to a policy of maintaining a surplus budget on the maintenance of a ratio of 100, 50, only. For the sake of prestige, of course officials as well as a few non-officials had been congratulating the Finance Member but he had to do his duty to his motherland.

Pandit MALAVIYA urged the Government seriously to consider reduction in military expenditure so as to bring it down in a few years to fifty crores. He suggested economy by placing British by Indian troops and that all British troops leave India. He did not agree with those who held that British troops were necessary for meeting communal troubles. His belief was that the only solution of these problems was for the Government with the help of the leaders of the people to bring about a settlement. Pandit Malaviya next impressed on the members the desirability of their solemnly realising the importance of the ratio controversy on which much active canvassing was going on. He wanted both sides to consider the whole issue with a clean slate and adopt whatever course was in the best interest of the country. From whatever study he had made of the subject he believed that 1-6 would prove disastrous to the country. He quoted from

the speech of Mr. Dadabhai Naoroji at the Allahabad Congress in 1901 when he spoke against closing down of the mint and also from Sir Dadiba Dala's minority report in 1919 which put the case for 1s. 4d. most soundly and the Pandit accepted the view of Sir Dadibha.

In summing up the discussion, Sir Basil BLACKETT said many members had urged that more money should be spent on such subjects as sugarcane and dairy-farming. The constitution debarred the Government of India from raising money from the general taxpayer in order to enable it to encroach even for beneficent purposes on the sphere of provincial Governments. It might be that the line was too rigidly drawn and more power might be needed for extending its activities into borderline cases. This was a matter for the Statutory Commission. For the present the relief in provincial contributions was to promote the well-being of the inhabitants of the provinces. He was glad Mr. Visbandes agreed with the Government in thinking that reduction of motor duty would be beneficial to the whole of India by enabling them to develop and improve the roads. Such development and improvement might also help in the reduction of military expenditure, because in that case there could be a less number of lorries in reserve for the army. He emphasised that on the present strength of the army the expenditure could not be reduced without impairing efficiency. He could not hold out the hope that there would be reduction in this expenditure in years to come if the army was to be kept at its present level. He did not want to be told that the Finance Member was standing in the way of keeping the army efficient. Proceeding, Sir Basil Blackett referred to the plea for reduction in postal rates and said his personal view was that with the general increase in the cost of living and legitimate demand for a higher standard of the comfort of the postal employees, a reversion to very low rates prevailing before the war was not practical politics. It could not be secured without a heavy and increased and unjustifiable subsidy from the general taxpayer largely for the benefit not of the agriculturists but of the commercial and industrial customers of the Post Office. At any rate the reduction of postal rates and salt duty could not be taken up until provincial contributions were released finally. Since 1924-25 the surpluses of taxation and contributions amounted to 15 crores which was by no means insignificant.

Proceeding, the Finance Member referred to the argument that though the paper figure of the Government of India expenditure might have come down in recent years the gold value of the rupee demanded from the taxpayer had not diminished. It was true that a great rise in prices, that is a great fall in the commodity value of gold before and after the war, was a major factor in bringing about the increase and that the restoration of the equilibrium in the Budget had been materially assisted by a fall in world prices, not by exchange. Even now the prices were fifty per cent higher than in 1924 and this fact together with the cost of interest in sinking fund and war debt provided the main explanation for the increase of Government expenditure. The rise in exchange had supplemented the effect of the fall in world prices in helping to restore the Budget equilibrium.

Alluding to the charge that the Government had manipulated exchange, the Finance Member said that at present the Government were the authority to manage currency or manipulate currency as unofficials would put it. Up to the time of the appointment of the Currency Commission his chief contribution to the management of currency was to prevent the rupee from being driven up and far beyond 1s. 6d. and in order to do this he had to resort to vigorous methods of management. Neither in preventing the rise above one and six nor in retaining the rupee at one and six were Budget considerations mainly in his mind; but it was to the stability achieved that they owed the balanced budget and ability to remit provincial contributions. A sudden drop to 1s. 4d. would play havoc with the budget. Mr. Birla's theory that a sudden increase in the price of imported articles led to an increase in the quantity of imports had only to be stated to be rejected as contrary to all experience. The Central Board of Revenue were right in anticipating a considerable fall in imports if the exchange was lowered to 1s. 4d. Mr. Brayn's estimate was purposely an underestimate. His own view was that both the assumption that the wages would not have to be increased immediately and the assumption that they should not have to pay a much higher rate for new money owing to a check to their credit were entirely untenable and the effect of 1s. 4d. on the Budget for the next year would be not less than seven and a half crores and something like ten crores in 1927-28.

(FURTHER PROCEEDINGS OF THE ASSEMBLY WILL BE GIVEN IN THE 2ND VOLUME.)

# The Bengal Legislative Council.

OPENING DAY—10TH JANUARY 1927.

The first meeting of the Third Reformed Bengal Legislative Council was held on the 10th January 1927 in the afternoon in the Council Chamber, Calcutta. The only business transacted was a formal one, namely, the taking of oaths of allegiance by the members of the Council. With the exception of only a few, almost all the one hundred and forty members attended the Council. The House then adjourned to meet on the next day, the 11th January to hear the opening address of H. E. the Governor. In the course of his speech dwelling on the revival of Dyarchy His Excellency said :—

## The Governor's Speech.

"Its labours would constitute the latest material upon which the Parliamentary Commission would base its recommendations for the future. During the next two months, the Council would take decisions which would largely determine the influence of Bengal upon the future development of the Indian Constitution. Revocation of the transfer of subjects by the Secretary of State during the life-time of the last Council would come to an end on the 31st January and they should decide whether they wished that revocation to continue or whether they wished to resume control of the transferred subjects through the medium of Minister. It would be for him to interpret the action as they might take. In order to give the Council the earliest opportunity of expressing its wishes on this matter, a demand for a supplementary grant for the salary of two Ministers would be submitted on the 17th January, which would enable the Council to indicate whether or not it wanted any Ministers to be appointed, and, if so, what rate of salary it was prepared to vote for their remuneration. If the demand was rejected, he would accept that decision as indicating the desire of the Council to see the revocation of the transfer continued and he would inform the Secretary of State accordingly. If the demand was accepted, he would interpret this as an indication of the desire of the Council to have a Ministry appointed and he would, thereupon, do his best to select such persons as appeared to have the confidence of those who recorded such a decision.

After recalling the appointment of three Ministers after the last two general elections and rejection of Ministers' salaries during the last Council, His Excellency said : "If the precedent of the previous years were to be followed, appointment of three Ministers would necessitate an unequal distribution of offices between Hindu and Mahomedan communities. In view of the regrettable riots which had recently taken place between these two communities, which for the time being had so embittered the relations between them, such a course appeared undesirable. In the present state of communal feeling in the province, he was reluctant to appear to favour either community at the expense of the other in exercising the prerogative of appointing a European as a third Minister. Increasing the number of Ministers to four or reducing it to two, of these alternatives, in the absence of any indication of the wishes of the Council, he had chosen the last. If the demand was accepted, two Ministers would be appointed but it would be open to the Council to indicate its preference for any of the other alternatives he had mentioned.

Turning to the opportunity which would be afforded to the Council to express its confidence or want of confidence in the Ministers, H. E. the Governor said : When the Council resumed for the consideration of the Budget in order that the Council might express its opinion of each Minister individually, the Government would show separately the salary of each Minister and any member would have the opportunity of expressing his want of confidence in either of the Ministers by moving a token reduction of one rupee in the salary demanded. If such a motion was carried, the Minister would resign. It would, however, be open to the Ministers themselves to decide whether or not they would stand or fall together. At present, the tradition of joint ministerial responsibility had not been established, but Ministers could elect to establish it if they so desired. If such a motion was carried and the Ministers resigned, the Governor would select others and further opportunity would be afforded to the Council of expressing its acceptance or otherwise of them when demands for grants for transferred subjects were required. If a token reduction of one rupee in the demand for the first grant asked for by the new Minister for the department of which he was in charge was moved and carried, that would

again be interpreted as a vote of no confidence and would be followed by the resignation of the Minister.

Concluding, His Excellency said that Parliament looked to them as trustees of the constitution for practical demonstration of the working of the representative system of Government in this country and their countrymen would have reason to thank them if in addition to drawing attention to the defects of the present constitution, they could give practical proof of the adaptability to Indian conditions of the system of Government, which in theory, he believed, they all desired to establish. "In a few weeks' time I shall be returning to England and my countrymen will be sure to ask me how far my five years' experience has strengthened or diminished my faith in the applicability to Indian conditions of the system of responsible representative Government which they, equally with yourselves, desire to see established here as soon and as completely as possible. Of the defects of the present constitution, I have been provided with plenty of evidence. Of the lines on which it can be improved, opinion is far less unanimous and of the success of the experiment already made the evidence is more difficult to produce. I trust that in the lifetime of this Council of which you are members you will subordinate all personal and communal considerations to the necessity of proving beyond any doubt that Parliamentary Government can be made to bring to the people of India the same advantage which it has brought to the people who live in other parts of the King's Dominions."

After H. E. the Governor left, the Council elected the Raja of Santosh as its President and adjourned.

#### Motion for Ministers' Salaries.

On the 17TH JANUARY, the business of the Council was the election of a Deputy President and the demand of Rs. 24,775 on account of salaries of two Ministers from 22nd January till the end of the financial year.

The Hon'ble Mr. MOBERLEY in moving that a sum of Rs. 24,775 be granted under the "general administration" on account of the salaries of two Ministers with effect from 22nd January 1927 said that as the Council were aware no provision for the salaries of Ministers was made in this year's budget and in the absence of funds for this purpose, no Ministers could be appointed to take charge of the Transferred Subjects when the period of revocation came to an end on January 31. His Excellency explained in his speech on January 11 that if the demand which he was now moving was rejected, His Excellency would regard that fact as indicating the desire of the Council to see the revocation continued. If the demand was passed, His Excellency would interpret that as an indication of the desire of the Council to have a Ministry appointed. The issue was therefore perfectly clear. Acceptance of the demand meant there would again be Ministers; its rejection meant that there would be none.

Mr. Nalini Ranjan SARKAR, who moved the Swarajist motion for refusal, said that during the last term of the Council the Government attempted thrice to foist upon them repugnant diarchy and thrice they failed. The same question had been put before them and they have been asked if they were prepared to allow Government to exhumate the carcass of diarchy buried two years ago and to give it a fresh lease of life. It was not a request indicating a change of heart or invitation to co-operate on honourable terms, but a demand for unconditional subservience to Government in their unreasonable insistence that their own idea of value of this constitution must be anyhow upheld irrespective of the real interest of the people as they understood it. It was a test as to whether the Government has succeeded in breaking the spirit of resistance that had grown in them and could compel them to their third dictation. The regime of organised resistance in the legislatures initiated by Deshbandhu Das had unnerved the bureaucracy and the British public and they could know no peace of mind until they had crushed it. After representing the reasons for the Swarajist attitude, Mr. Sarkar said that some of their friends who under the then circumstances accompanied them to the same lobby had now become agreeable to work the Reforms under the present circumstances and he wanted to know what change had been brought about. Not only had no change been effected to ease the situation but the Government had in the meanwhile heaped on them fresh injuries, as for instance the imprisonment of over a hundred of their young men without trial and refusal to repeal the repressive laws. Mr. Chakraranjan Das in his last days held out an olive branch and suggested honourable terms for settlement but the proffered hand of fellowship was not accepted. Might the speaker ask Mr. Chakravarti, leader of the Responsivists, whether he had received any response to the very simple and elementary conditions which he originally laid down as a basis for his acceptance of Ministry. Mr. Sarkar declared that in the atmosphere

which the Government had deliberately brought about by their recent series of outrage against public conscience and the spirit in which the Transferred Departments had been worked during the first term of the Reformed Council when the Swarajists were out of it, this constitution could not be worked at all to any purpose. It had been suggested that Congressmen were shirking responsibility. He did not know what responsibility could attach to a Minister who could not move an inch without the consent of the Governor, the Finance Department or the Secretary of his Department. Lord Birkenhead would not condescend to tell them how far he could meet their idea of responsible Government until they performed the impossible feat of working of the unworkable constitution. They know and the Secretary of State know that dyarchy had failed. Still at the point of bayonet, he would compel them to work. As representatives of a self-respecting people they could not but protest against and oppose this attitude. Refusal to accept office might or might not lead to any definite result in the immediate future, but at the present stage of their national struggle, that mentality was far more important than any positive result to be expected. To the Government he would say that even if by taking advantage of their disunited front they succeeded in gaining their object this time, the spirit of resistance in the country could not and would not be broken and would go gathering strength under the stimulus of their stubbornness till sooner or later it could compel justice and fairplay to the people.

Sir Provus Chunder MITTER, ex-Minister, said that he had not changed his views that dyarchy was extremely unworkable, but dyarchy was an existing constitution and they should work it for the benefit of the people. When he was a Minister, he had difficulties not only in the Government but also outside. If the Ministers had the backing of the country, they would have achieved more good to the country in spite of the defects of dyarchy.

Mr. J. M. SEN GUPTA, Swarajist leader, said that the Governor was illogical in asking them to support dyarchy before making a better constitution. Nowhere the salary of the Ministers was brought out without letting the people know who the Ministers would be. The object of the Government was to kill opposition and organisation of the Swaraj Party. Whatever might be the result of the motion, the spirit of opposition and organisation would not be killed even if dyarchy was resuscitated.

The Swaraj Party's motion refusing the entire sum on account of Ministers' salaries was lost by 24 votes to 38. The Hon. Mr. Moberley's demand for Rs. 24,775 on account of two Ministers' salaries was thus carried. The Council was then prorogued sine die.

### The Budget for 1927-28.

The Budget Session of the Bengal Council commenced on the 21ST FEBRUARY. In introducing the budget, the Finance Member said that with the disappearance of the disturbing factors and better insight into the working of the departments, we have now got down to a more normal basis and as the result of that we have found ourselves in a better position to determine more accurately our true financial condition and the amount available for schemes involving "new" expenditure.

After stating the figures for receipts and expenditure, the Finance Member touched briefly on the main items of expenditure. He said: We continue the special grant for improvements in our Government estates as well as the expenditure on the colonisation schemes in Sunderbans. Excise expenditure shows little variation. The estimate is in fact below the budget provision for the current year. We have had a good increase in revenue from our forests. Provision has been made for charges on account of the Damodar Canal project, flushing of Birrab Insarpur sub-division of Nadia, improvement of the Gobra Nala in Murshidabad, measures of protection in Ghatal sub-division and operations in Madaripur Bhil route. The only new proposal of any magnitude is the Bakrowar irrigation project in the district of Birbhum. This will irrigate about 10,000 acres of land. The most important new item in the Jail Budget is the scheme for a Borstal institution. The idea is to convert the Jail at Bankura into a Borstal institution and to provide a Sub-Jail at this place for ordinary jail administration. Until the Borstal Act is brought into force, it is intended to concentrate all persons between the ages of 16 and 21 with comparatively long sentences in this institution. The police budget is some what higher than the revised estimate for the current year.

The main new items of expenditure centre round better equipment of the force, inclusive of better and more adequate housing conditions. There is also a proposal to strengthen the striking strength of the Calcutta Police force by the creation of an additional

company of armed police. We own buildings to house married officers and servants whom we now have to accommodate in hired buildings at considerable expenditure to the Government. Education came in for a very substantial share on money allocated for new expenditure. The chief item is further instalment of subscriptions towards improving the remuneration of primary school.

A large amount has also been set apart for the introduction of a scheme of agricultural education in middle English and High English schools. We have provided for the appointment of a professor of Islamic studies and culture in the post graduate department of the Calcutta University and have agreed to provide funds necessary for the construction of a Muslim Hall at the Dacca University. In the Medical Department, the proposed expenditure is about a lakh less than that estimated as charge of the department for the current year. Public Health which we increased largely last year also shows a lower expenditure in 1927-28. In agriculture, we propose to add an additional expert officer to the department in the shape of an Agricultural Engineer and certain expenditure will be necessary under this head in connection with the scheme for agricultural education in middle English and high schools.

In the department of Industries, it is intended to add new buildings to the Scrampore Weaving School. It is now proposed to erect new buildings for the school and to augment progressively in the next three years the grant placed at the disposal of the Director of Industries for grants-in-aid in such institutions.

#### Grant for new Council Chamber.

After the presentation of the budget, Mr. B. Chakravarti, Minister, moved that the proposed new Legislative Council building should be entirely stone-faced at the cost of Rs. 28,77,000 instead of a brick building at the estimated cost of Rs. 25,50,000.

The motion was opposed by the members of all parties. The Finance Member said that they had already sanctioned for this purpose Rs. 25 lakhs and they wanted Rs. 8 lakhs more. Mr. B. C. Bose, in opposing, said that they wanted a stone building to meet the arrows of conscience. Sir Abdur Rahim was surprised how the Minister could bring such a proposal. In Delhi the amount of money they were wasting in stone was simply enormous. Bengal was too poor to have that luxury. Mr. J. L. Banerjee said that the Council Chamber with stone outside and brick within would be like the Reform scheme so stately outside and so hollow and rotten within. This Council was ushered into existence with much pomp but under pressure of the rules and the President's rulings, it was going to be shorn practically of all its glory.

The motion was negatived by an overwhelming majority. The Council then adjourned.

Next day, the 23RD FEBRUARY, the first resolution that was moved urged the making of provision for the third Minister who was to be a Mahomedan and it was negatived, 29 voting for and 72 against it.

#### Release of Bengal Detenuees.

The next resolution urged the immediate release of Bengal detenues restrained either under Regulation III or under the Bengal Criminal Law Amendment Act. It was moved by Mr. K. Chatterjee (Swarajist). The mover had not concluded his speech when the time fixed for discussing the adjournment motion regarding the shooting at Kharagpur arrived and the Council at once proceeded to discuss the adjournment motion.

#### Adjournment Motion on Kharagpur Strike.

Dr. B. C. ROY moved an adjournment motion to discuss the firing on the Bengal-Nagpur Railway employees and strikers at Kharagpur on the 11th February. He said his object in bringing the motion was to make two points clear. The first was the statement made by Sir Charles Innes in the Assembly that no more violence was used than was necessary. The public would not be satisfied with that statement, unless it was tested by a mixed committee of enquiry. It was not denied that violence was used and the question was whether the Magistrate was justified in calling out the Auxiliary Force, the members of which were men with whom workers and strikers had already been at variance.

Baba Akhil Chander DUTTA said that this was a dispute between black labour and white capital and the Government threw its weight on the side of capitalism. This fight was part of a higher fight for the freedom of the country.

The Hon'ble Mr. MOBBLEY, in replying, said that they had been told that workmen got entirely out of control of their leaders on the night of 11th February. There was a meeting that night at 7 p.m. and at about 9-30 p.m. a large number of men variously estimated at between 500 and 1,000 rushed to the station. They attacked the signal cabins



at each end and the people there ran away and were in possession of the station. The District Magistrate who was at Kharagpur immediately sent for armed police and went to the station with the Police Superintendent and some railway officers and tried to clear the platform. They got the crowd to move down. The men then commenced to stone the officials and police officers retreated to the station. Hearing that the situation was beyond the power of 20 or 40 armed police, the District Magistrate called out the Auxiliary Force which arrived at about 10-30 p. m. Continuing, he said that after the arrival of the Auxiliary Force they were asked to clear that part of the platform where the Puri Express was held up. According to regulation, the Auxiliary Force fired bayonets to their rifles. The Auxiliary Force was received with a shower of brickbats and the people lay down in front of the Puri Express and considerable difficulty was experienced in getting them to move.

The best method of dealing with a crowd which was stoning was to get as close to it as possible and that was what they did. The casualties found in the hospital numbered ten, seven slightly and three or four seriously injured. Apparently what happened was that as the Auxiliary Force were moving the crowd, they pricked them with their bayonets. There was a "dip-end" and apparently some of the crowd and members of the Auxiliary Force fell over, which might account for some of the injuries. There was no proper bayonet charge.

Dr. Roy :—So the Hon'ble Member is prepared to deny that Auxiliary Force had anything to do with shooting?

Mr. Moberly :—I absolutely and emphatically deny that. Continuing, he said the Auxiliary Force was armed with ball cartridges. There was one case of gunshot caused by backshot with which the armed Police were armed. He had a letter from the Colonel Commanding the R. N. Railway Regiment to the effect that on the night of 11th February the Regiment did not fire any shot and that ammunition and rifles were checked and were all found to be correct. Continuing, Mr. Moberly said the Assistant Police Superintendent came back with a section of the armed police. He found a number of men stoning a small picket of six or seven constables.

He tried to move the crowd back to bazar. The crowd fell back as far as the entrance to the bazar and from there they stoned the police. A number of policemen as also the District Police Superintendent and the Assistant Police Superintendent were injured. Mr. Cook, Assistant Police Superintendent, repeatedly warned the crowd that if they continued to advance he would have to fire. The men did not obey and Mr. Cook issued order to two constables to fire a round each which they did, that time there was no Auxiliary Force in the neighbourhood.

Subsequently, a section of the Auxiliary Force came up and reinforced the police and a little later the District Magistrate came there. After the firing took place, the crowd retreated behind a corner and again threw stones.

The matter was talked out for two and a half hours, the time allotted for discussion of the motion, after which the Council rose for the day.

### Release of Bengal Detenuees.

Next day, the 23RD FEBRUARY, after interpellation, Rai Harendranath Chaudhuri moved a motion for adjournment of the House for the purpose of discussing a matter of urgent public importance, namely, the recent hunger strike of the Bengal detenues at the Insein Jail, Burma. The President fixed 5 o'clock in the afternoon for the discussion of the motion. But subsequently Rai Harendranath Chaudhuri withdrew his motion in order to allow the discussion of the resolution for their release to continue.

There was a long debate in reply to which Mr. MOBERLY, Home Member, referred to the recent speech of the Viceroy in which His Excellency stated that the Government were prepared to release them from the moment they were satisfied that their release would not defeat the prevention of terrorist outrages and said that although it was obvious that information about secret organisation could be obtained only from persons who were or had been members of that organisation, whether they were detenues or at large, he most emphatically denied that any agents provocateurs had ever been employed by the Police in Bengal. Apart from the immorality of the course, the terrorist conspiracy was far too serious a matter to be trifled with and the object of the Government was to reclaim those who had leanings in that direction, not to add to their number. The Government never attempted to take action against every one whom they knew to be connected with the conspiracy. Nor did they claim to know everyone who was connected with it. They did deal with those whom they knew to be leaders and with the most dangerous of members and they did claim to have disorganised the conspiracy to

a very great extent. Evidence of this fact was furnished by the fall which followed the action taken immediately on the promulgation of the Ordinance as compared with the occurrence of outrages during the preceding 18 months. Some of those who were not arrested, however, soon began to organise again and the result of their activities was brought to light in the finds of arms and explosives at Dakshinewar and in Calcutta. The persons who were convicted in the Dakshinewar case were responsible for the brutal murder of Rai Bahadur Bhopendranath Chatterjee in the Alipore Jail. The find of materials for the manufacture of explosives in Domjer and Howrah last July, the find of loaded bombs in Chittagong last August and the find of revolvers and bombs ready for loading in Calcutta last month were outward signs that a conspiracy still existed and was still widespread.

Mr. Moberly read extracts from the following among other documents which had been recently seized showing the mentality of the members of the terrorist organisation. The first was from a letter which was found in a house search in January and reads :— "Non-co-operation will not produce any good result now-a-days. The present condition of the country is not fit for that movement. The era that is coming is an era of bloodshed. That era is the most terrible and you are the heroes of that age. Perhaps, you can remain idle at the present moment; but a time will come when no one would be able to remain inactive. Therefore, I say, prepare yourselves for that time. The day is near at hand. Acquire strength in your body, rid your mind of fear and awake enough force within you. If freedom is ever achieved in India, it will come through bloodshed alone. India can never be independent without bloodshed. Why India alone, all dependent nations and countries have become independent through the path of blood. Terror must be instilled into the minds of the people. They will have to be shown that the Bengalis know how to die for their country and to shed blood for it. When this fact can be driven into the bones of the people, the country will blaze up in flames, such flames as none can extinguish."

The second extract was from a statement made by a person arrested under the Criminal Law Amendment Act within the last few weeks. "It is absolutely necessary that 'rebellious spirit' should be fostered in youngmen and they should be encouraged to take part in violence. The Government would take drastic steps, but they should court extreme measures of the Government to create anarchy and chaos in the country. We thought of murdering a few informers and active O. L. D. officers; but that was not our ultimate aim. We were preparing the revolutionaries to take part in a general rising by guerilla warfare. We conspired for a simultaneous rising in all districts when the revolutionaries would attack the police lines, capture their guns, burn some police thanes and jails. We know that the Government would post the military, oppress the innocent, and hang many men and eventually crush the movement, but still we ventured to bring it upon the country as the people would get some precedent to take part in this in future. Men become more bold by failures and oppressions and we wanted to create our atmosphere when people would be killed by hundreds. We wanted to see the blood of our countrymen flowing by torrents. Secret organisations have been formed in every district, in many sub-divisions and in the villages. There is a Central Committee in Calcutta which guides these district organisations and supplies them with books and arms. All the revolutionaries are taught these blood-thirsty idea, their utter helplessness, the futility of open organisation and about their extinction if they do not rise up immediately."

The third extract was taken from the report by a European Police Officer of a conversation with another terrorist who was arrested at about the same time last month. "His sole regret was that he had not had an opportunity of killing some police officer so that he might have sacrificed his own life for the good of the country. He would have considered it an honour to go to the scaffold. He realised that it was impossible to drive the British out of the country; nor was he anxious that they should be driven out until the country was ready to rule itself and life could be put into the lifeless bodies of the Indians. This metamorphosis could only be brought about by creating a "rebellious" spirit in the country, and this rebellious spirit could only be cultivated by martyrdom such as that of Kanai Lal and Gopi Shaha. Their deaths, he said, in each case resulted in an amazing impetus to the revolutionary movement. If he had had a bomb in his possession in the jail he would quite cheerfully have thrown it at me, not as an Englishman with whom he had no quarrel but as an official and a police officer. He warned me that there were numbers of others to take up the work where he had left off."

Mr. Moberly would ask the members of the Council if they considered that the facts which he had set forth were such as would justify the Government in coming

to the conclusion that the conspiracy had been as far suppressed, that it would be impossible for the former leaders to revive it in a dangerous form even if they so desired. He thought there could only be one answer. The conspiracy was there; the materials were there and though it had still not fully recovered from its disorganisation, recruitment and organisation were steadily going on. With the old leaders back again it could, if they wished, speedily be revived in its most dangerous form.

Mr. Moberly next came to the second point in the Viceroy's speech which restated exactly what has always been the policy of the Government, namely, that the latter did not desire to keep any person under restraint a moment longer than they could help; but before they released him, they must be satisfied that there was no longer any danger that he would employ his freedom in taking part in the terrorist movement and it was here that he would appeal to the members of the Council to help the Government to move rapidly in the direction of releasing political prisoners than had hitherto been possible by creating an atmosphere in which it would be safe to release them. What he urged was that leaders of public opinion and the press should unreservedly condemn the methods of terrorism, the cult of the revolver and bomb murder and dacoity even though the object be political. He did not ask that the patriotism and enthusiasm of these men should be belittled; but he did ask those whose convictions would permit them to do so to stress the fact that in employing methods of terrorism these men were misguided and were misapplying their talents, that far from advancing the cause of their country they were retarding it.

He knew that there were some who believed that the pronouncement of advance which was made in 1917 was extorted by the success of a former terrorist conspiracy. This was abundantly clear from the writings of old revolutionaries. Such persons may believe that no further advance would be secured except by similar methods; but he did not think that they can complain if the Government take measures to counter the methods which they advocated. All Governments were bound to accept and meet the challenge of violent coercion.

Referring to the charges which had been made in the press that the treatment of these men in jail had led to general deterioration of their health, Mr. Moberly said that although the Government regretted the necessity for detaining persons in jail and fully realised that such detention was not an ideal condition for health, it was anxiously watched by medical officers and everything possible was done to treat them if they fell ill.

Mr. Moberly concluded:—"The situation in Bengal is not yet such that leaders can be released again to take their places at the head of the terrorist conspiracy which is far from extinct. The prospects of expediting relaxation of restraint will be very greatly improved if young men who organise and join the terrorist groups can be made to feel that the public condemn their policy and that they are hindering rather than helping advancement of their country and I would once more appeal most earnestly to leaders of public opinion to create an atmosphere hostile to terrorism so that releases can be made more rapidly and safely."

#### Details of the Debate.

One noticeable feature in the discussion of the resolution on the release of detainees was that except Mr. Moberly no one opposed it. All non-official Indians supported the motion. The two Ministers did not vote. Supporting the motion, the Swarajists said that the arrest of political leaders was a move against the Swaraj Party. Mr. Akhil Datta challenged Mr. Moberly's statement that the revolutionary party still existed and said that the Government brought them into existence. Nationalist leaders, Maharaja Natore and Raja of Nashipur, supported the motion as they did not believe in the existence of an organised revolutionary party.

Sir Abdur Rahim, leader of the Moslem Party, while admitting the necessity of a special remedy in special circumstances, was opposed to indefinite detention without trial and asked his followers to obey the resolution passed by the All-India Moslem League at Delhi.

Mr. J. M. Sen Gupta described the plea taken that witnesses would be in danger in case of a public trial as false and cited several cases where Indian witnesses deposed against political accused. If terrorism still existed as said by Mr. Moberly, then the persons under detention had nothing to do with it. As regards Mr. Moberly's suggestion to create public opinion against terrorism, Mr. Sen Gupta said that the National Congress was pledged against violence and the late Mr. C. B. Das issued a manifesto asking all to shun violence.

Mr. S. C. Bose said that Mr. Moberly's speech was libellous. Reckless charges had been made on the basis of police informers of a questionable character without allowing the

detained to refuse these charges. To ask the Council to believe these vague charges on such flimsy basis was an insult to the intelligence of the House. He referred to the petition made by two detainees to the Secretary of State bringing serious charges against the authorities in India and praying for an impartial enquiry. The Government had not the boldness to meet these charges nor the courage to appoint a committee of enquiry. He characterised the letters adduced on by Mahabir as forged and intimated that these produced in the Council were.

Orders being moved, the resolution was put to vote without allowing Mr. Mahabir and the mover of the resolution the right to reply. After the President declared the motion carried, Mr. Sen Gupta who voted for it asked for division.

President: Did you say "Aye"?

Mr. Sen Gupta: I am not bound to answer that.

President: I rule it that as you have claimed division after my decision was given in your favour and as I understand you said "Aye", you will not be entitled to record your vote on the resolution. The two Ministers and Mr. Sen Gupta did not record their votes.

The resolution for the release of political prisoners was carried by 71 against 36. The Council then adjourned.

### Budget Discussion.

General discussion of the budget commenced on the 28th FEBRUARY. A comparatively thin house bore testimony to the scant attention paid by the members to the discussion. Budget was described by some members as a masterpiece of illusion and full of financial juggling. Several members complained that enough time was not given to them to study the budget and make suggestions. They regretted that in the budget there was no mention of any scheme or definite policy. The Council then adjourned to meet on the next day, the 1ST MARCH, when after three hours' manuscript eloquence the House had to be adjourned till the 11th March for want of a quorum. Some thirteen members spoke on the small allotments made in the Transferred Departments.

Mr. J. Campbell-Ferrester regretted that no allotment had been made for the Midnapore Labour Colony and for solving the beggar problem. Concluding he said it was time that the Government woke up to the fact that Europeans had actually made up their minds that they were going to take an active part in politics, that they were going to put forward propositions and see them carried out.

Dr. Promothanath Bannerji referred to the fixation of currency and said if the Finance Member looked to the wealth and prosperity of the country the speaker had no objection to listen to him on the controversial currency question.

Mr. K. C. Ray Chowdhury, Labour Member, said they must resist the preposterous demand of the Bombay financiers and industrialists to fix the ratio at sixteen pence per rupee. In support of his contention, he quoted extracts from the letter written by a Swarajist leader Mr. Satyendra Mitra now confined in Mandalay Jail who said "My views about the coming currency legislation are not in agreement with Bombay capitalists. The real interests of the ryots will suffer at the lower rate of exchange. The interest of the capitalist and the general public is at variance in this particular case. The whole propaganda of demanding the sixteen pence per rupee is engineered by Bombay capitalists of Bombay cotton mills."

Sir Abdur Rahim said that in order to solve important problems, all provincial Governments should meet the Government of India to discuss what should be done and also suggested to start a modern loan policy for Bengal alone. The House then adjourned.

On the 11TH MARCH the Hon'ble Mr. Donald, Finance Member, who had no opportunity to reply to discussion on the last occasion made a statement. Replying to some of the criticisms of non-official members, he said although they had been able to balance their receipts and expenses he was not satisfied with their financial position. Their finances were inadequate for their needs. The Hon. Mr. Donald then referred to the public health department and said that the late Mr. U. B. Das had handed over to him a scheme for public health organisation. He passed it on to his department but there had been no examination of that scheme for some time which was rather due to Dr. Bentley's absence. He had much to say upon it when budget was presented. He waived the rule which prevented the Finance Department from putting into budget schemes which they had not seen or examined and as a result of that he could tell the Council to-day that they had accepted the principle of the scheme prepared by Dr. Bentley which he said was Mr. Das's scheme for public health organisation in Bengal. When the scheme was carried out in full, very considerable sum of money, say between

Rs. 12,000 Rs. 12 lakhs would be required. They were going to make a beginning with 8 lakhs of rupees in the budget. It was of course not possible to have a big expenditure all at once. He left it to the Hon. Minister to explain when he presented his demand. It would be in full working order at a very early date. He thought he made a good case in answer to those who criticised Mr. Das's scheme.

### Voting on Demands for Grants.

The demand for grants was then initiated by the Hon'ble Mr. MOBERLY who made a demand for grant of Rs. 94,38,000 for expenditure under General Administration. A number of amendments were moved some making cuts and others refusing grants for particular departments. There were 106 such motions on this demand, nine of which were moved on this day and in the case of one only the Swarajists, with the help of some of the followers of Sir Abdur Rahim, were successful. Related with this small success the Swarajists and Mahomedan members called for division on every motion they moved and in all of them they were defeated, though not by a large majority and in one case there was a tie. The first motion in which the Swarajists defeated the Government was the demand of Rs. 3,000 under the head 'Staff and Household of the Governor'. Other items in which cuts were not accepted related to the pay of the Private Secretary Rs. 24,000, travelling allowances of the Military Secretary Rs. 7,000, Governor's Band Establishment Rs. 70,000, Governor's Bodyguard Establishment Rs. 1,18,000. The Council then adjourned.

#### Minister's Salaries Voted.

On the 18TH MARCH the Council rejected by 65 votes to 58 the motion of Dr. P. Bannerjee, Swarajist, totally refusing Rs. 19,000 under the head "Executive Council" and thereby raising a constitutional issue.

Then after 8 hours' discussion the three Swarajist motions against the Ministry were defeated by an overwhelming majority. The first motion moved by Mr. J. L. Bannerjee (Swarajist) was against the total demand of Rs. 1,46,000; the second motion was for the refusal of the salary of Rs. 1,35,000 of both the Ministers and the last one for the refusal of the salary of one Minister, Rs. 68,000. All the three motions were negatived, 59 voting for and 78 against. Among Hindu members only Swarajists and among Mahomedans Sir Abdur Rahim and his followers supported the motions for refusal.

Mr. J. L. Bannerjee said that the Ministers lost confidence by not voting for the resolution demanding the release of the detainees and in not going to the scenes of communal riots. Mr. B. Chakravarti before election said that so long as the detainees were not released, no one should accept Ministership. The detainees were still in jail; yet Mr. Chakravarti accepted a Ministership.

Mr. Chakravarti, Minister, said that the Ministers had had joint responsibility and their duty would be to serve both the communities. He detailed the policy that would be followed by him.

Mr. S. C. Bose said that the present Ministers neither enjoyed the confidence of the House nor were capable to lead the House. They were enthroned on the votes of 44 Government nominated members. By not voting for the release of the detainees the Ministers had contributed to the slavery of the House and the slavery of the country. The Ministers had not made any suggestion for a forward march for the freedom of the country.

Sir Abdur Rahim, after referring to the circumstances in which the present Ministry was formed, said that so far as Mr. Ghumanavi was concerned the entire Mahomedan public was opposed to him for the ignominious part played by him.

The Hon. Mr. Moberly said that if the resolution was carried, there would be no Ministers. The motion was not against particular Ministers but against dyarchy and the present Government.

Mr. H. S. Sahrawardy protested against the insult hurled on the supporters of Mr. Ghumanavi as hired voters and also against the method of intimidation employed by certain sections.

The resolutions were put one by one and declared lost. Mr. Moberly's motion that Rs. 94,38,000 for expenditure under General Administration as amended by the Council be granted was carried 58 voting for and 36 against it. The Council then adjourned.

On the 18TH MARCH five more motions for reduction of grant under land revenue were negatived, Swarajists and Nationalists adversely criticised the survey and settlement

operations which they said was the root cause of the ill-feeling between landlords and tenants. The Maharaja of Nadia, on behalf of the Government, gave an assurance that he would enquire into the grievances if brought to his notice. The original demand was agreed to.

#### Government's Forest Policy.

The policy of the Government regarding administration of the Forest Department was criticised when Rs. 11,48,000 was demanded for that department. In proposing token cuts the Swarajists urged indianisation in the Forest Service and asked for the steps taken by the Government to accelerate indianisation. Replying on behalf of the Government, Nawab Nawab Ali Chaudhuri said that since 1923 there was steady indianisation of the forest service. Out of 5 appointments in the superior service there are four Indians and only one European and in subordinate service all officers were Indians. The demand was granted without a cut. The Council adjourned.

#### Other Budget Demands.

On the 16TH MARCH the debate in the Council on budget demands was very tame. Attendance was poor. Owing to the election of the Calcutta Corporation Councillors, Calcutta members could not attend.

Nawab Nawab Ali Chaudhuri moved that Rs. 51,38,000 be granted for expenditure under irrigation. There were on the agenda 20 motions for reduction but only four, all token cuts for one rupee, were moved and negatived.

The Hon. Mr. Moberley moved that Rs. 85,02,000 be granted for administration of Justice. Mouli Sadique moved that the demand for the Original Side of the High Court be refused. He said that the Original Side of the High Court was maintained at the expense of the poor villagers for the benefit of the people of Calcutta. It was a monument of an iniquitous system of taxation.

Mr. Moberley replied that it was a matter for the Government of India. The motion was negatived.

Mr. J. L. Bannerjee next moved that the demand of Rs. 82,000 for the appellate side of the High Court be reduced by Rs. 36,184. He said that his object was to refuse the demand for the paper book department.

Mr. Moberley pointed out that the Governor made this item for paperbook non-votable. The President said that any censure on the paperbook department was a censure on the Government and he would not allow that. At the same time he would allow Mr. Bannerjee to move a cut out of the whole demand without reference to the paperbook department. After some discussion the motion was negatived. The Council adjourned.

#### Discussion on Jail Expenditure.

On the 17TH MARCH the demand of Rs. 24,16,000 for expenditure under Jails and criminal convict settlements was discussed and eventually granted without a single cut. In making the demand, the Maharaja of Nadia said that during recent years special enquiries had been made in connection with this department and the Government had given effect to some of the recommendations of the Jail Committee. Steps had been taken to improve the condition of prisoners, that of jail staff and also jail building. Steps also had been taken to separate adults from juvenile prisoners. A bill would soon be introduced for the benefit of adolescent offenders.

In proposing a token cut Professor J. L. Bannerjee narrated his personal experience for he had been an inmate of jail for 21 months. Indian jails he said were not as bad as they were in some. Punishments were not barbarous and diet was sufficient. The bulk of prisoners were not habitual criminals. The first necessity was segregation of habitual offenders, next the provision of better clothing, supply of tobacco and amusements to prisoners and abolition of convict wardens.

Other members also narrated their jail experiences. The Maharaja of Nadia gave an assurance of conducting an enquiry into the prisoners' grievances. Dr. Premotho Nath Bannerjee suggested the release of detenus to reduce jail expenditure on grounds of humanity and economy.

#### on Police

The police demand amounting to Rs. 1,72,85,000 was next discussed. In moving a token cut non-official members took exception to the increase of European sergeants. Another member suggested that the Calcutta Municipality should pay the cost of the Calcutta Police and not the general rate-payers.

Mr. Moberley reminded the House of the excellent services rendered by European Sergeants during the Calcutta riots. The House then adjourned.

On the 19TH MARCH further discussion of motion for reduction of Police Demand was resumed. The House was as thin as on the last two previous days. Only three reduction motions were discussed, two relating to the demand for the Presidency Police and the other in connection with the District Executive Force. All three motions were negatived.

An adjournment motion to discuss the action of the District Magistrate of Malakal in interfering with the worship of Kali was not allowed for want of support of the House. The first cut on the Police Demand was the motion to reduce the demand under the Presidency Police by Rs. 2 lakhs. There was also another motion on the same demand of a token cut of one rupee. The mover and his supporters spoke of the hopeless inefficiency of the Calcutta Police throughout the last year and said that they did not deserve any increment. During communal riots the Police failed to preserve peace.

One speaker said that it was not impossible for Mr. Moberly to discover the ringleader of communal riots. After the whole mischief was done, the authorities exterminated the Goundas to their native villages to spread trouble there and rewarded one of the leaders by giving him high appointment. Another member suggested drastic re-organization of the whole system.

The Hon. Mr. Moberly, replying, said that last year the communal riots in Calcutta were better managed. As to the alleged inefficiency of the Calcutta Police, Mr. Moberly quoted figures showing decrease of the cases of theft and pickpocketing. The opium smuggling business had been considerably checked. As regards communal troubles Mr. Moberly said :—"The attitude of Europeans throughout communal riots had been to let the two communities settle their disputes between themselves and whatever we do cannot have any finality. Until we get the leaders on both sides to find a *modus vivendi*, I am afraid communal trouble would not be stopped. What we do is to try to maintain peace. We dislike to be dragged into a dispute which has a religious basis. As regards processions, we have to make special arrangements when riots are going on. A procession should be allowed to take a particular course. Steps are to be taken to see that no disturbances arise as far as possible. We are perfectly willing, and the Commissioner of Police is prepared, to maintain the rights of the Hindus, but I think the House will agree with me that when a procession comes along and we have reason to believe that it is to annoy Mahomedans, the Commissioner of Police is perfectly right in suggesting another route in order that the two communities may not come into conflict."

Another motion to reduce the demand under the head "District Executive Force" by Rs. 5 lakhs was lost. The Council adjourned.

#### Conditional Release of Mr. S. C. Bose.

On the 21ST MARCH, replying to a resolution on Criminal Investigation Department Rewards to private persons, the Hon. Mr. Moberly, referring to the condition of Mr. Subash Chunder Bose, a detainee, said : "I would like to take the Council into my confidence as regards the case of Mr. S. C. Bose. I think members will agree that the incarceration of Mr. Bose has exposed the Government to severe criticism and that it follows that if the Government have not released him or at any rate relaxed the degree of restraint to which he has been subjected, it is because they honestly believe that it would not be safe to do so." The present situation is that both the Government and Mr. Bose realize that they can detain him until the expiration of the Criminal Law Amendment Act. Unfortunately, the Government have received unfavourable accounts of Mr. Bose's health. He was examined jointly last month by his brother, Dr. Sunil Chunder Bose, and Lt-Col. Kersall, Senior Medical Officer in Burma. I do not propose to read the whole report as the time at my disposal is very short. But the general conclusion is as follows : "Although one of us has only seen him recently for the first time, we agree that his general appearance is not indicative of good health. Taking into consideration his loss of weight, his slight but persistent rise of temperature we are inclined to the view that there is a possibility of early tubercle, although there is not enough evidence on which to base a diagnosis. We agree if he were a private patient of either of us, our advice to him would be to regard himself as a suspicious case of early tubercle and to put himself under the best condition as regards climate, food, rest etc., to combat this disease. We do not regard the condition under which he must necessarily be during confinement in jail as conducive to restoration of his health." Subsequently Dr. Sunil Chunder Bose wrote a further opinion : "In regard to diagnosis and treatment of Mr. Subash Chunder Bose's illness, I am prepared to go one step further. After carefully weighing the evidence before me, I should regard his case as definitely one of tuberculous of the lungs. My advice regarding treatment centres itself into (1) an immediate sea voyage and (2) prolonged stay in a sanatorium in Switzerland."

of which I have just recently intimate personal knowledge and experience." This note was sent by Lt.-Col. Kelsall who remarked "I have nothing to add to our joint note which, I think, expresses the exact condition of affairs."

It will be seen that at the moment Mr. Sebasch Chunder Bose is not seriously ill and certainly not incapacitated but he has been advised to go for a sea voyage and to stay in Switzerland. Now, the Criminal Law Amendment Act does not run outside Bengal except as regards detention in jail in other parts of India. All that we can do under the Act consistent with safety is to arrange for his transfer to a jail in a better climate and that is not what is recommended. The Government are not prepared to bring him to Bengal and in any event they are advised that Bengal would be as bad as or worse than Burma for his health. Effect can only be given to the suggestion that he should go to Switzerland if he were released and if he was once released there would in the ordinary course be nothing to prevent his return to Bengal, at any rate a contingency which the Government are not prepared to face. We are willing, however, that Mr. Bose should have such opportunities as we can afford him of recruiting his health. We are, therefore, prepared to release him if he will give us his word of honour that he will proceed from Rangoon to Europe by a ship which does not touch at any port in India and that he will, thereafter, not attempt to enter India, Burma or Ceylon until the Bengal Criminal Law Amendment Act has expired. It will be observed that we shall not demand any admission as regards his past or any promise as regards his future conduct. We are merely asking that we be kept in the same position as regards control over his movement in India as we are at present. This proposal, concluded Mr. Moberly, has not been made to Mr. Bose as I do not wish him to think that we want to force it upon him. But I put this forward publicly in order that if he thinks fit he may avail of it. He will know in advance that we are prepared to accept it."

#### Government's Excise Policy Attacked.

On the 22ND MARCH the demand of Rs. 22,98,000 for Excise was further discussed. The Swarajists and Mahomedans condemned the policy of the Government scheme leading to total prohibition in a short time. The demand was carried without any cut. The demand of Rs. 22,98,000 under registration was also granted without cut. The next demand of Rs. 13,85,000 for expenditure under education transferred was taken up. Discussion had not concluded when the Council adjourned.

#### Government's Education Policy Criticised.

On the 23RD MARCH, after a heated debate lasting for full two hours, in which the education policy of the Government with reference to the appointment of the Vice-Chancellor of the Calcutta University was severely criticised, the House passed the total demand of Rs. 1,18,85,000 provided for education by 61 votes to 2. Swarajists did not vote. The surprise of the evening was the speech of Mr. J. L. Banerjee who defended the Vice-Chancellor and twitted the Swarajists that they were clamouring because the monopoly of a particular party in the University was now broken.

Mr. Oulton, Director of Public Instruction, made a statement denying the charge that there had been any attempt on his part to officialise the University:

The Swarajists headed by Mr. Sarat Ch. Bose and Dr. B. C. Ray, maintained that an attempt to officialise the University had been going on since the year 1923 when Mr. Asbatoosh Makerjee, in a letter to His Excellency Lord Lytton, pointed out that the Government did not want an independent man as Vice-Chancellor but one who could carry out the mandate of the Government and act as the spy of the Government.

The Minister for Education was not taken to task by the House as the members all agreed that all these things happened before he assumed office, but they warned him to be cautious as grave danger was ahead. Incidentally the House in one voice asked the Minister to introduce a bill to reform the University on the lines of the recommendations of the Sadler Commission.

The Hon'ble Mr. S. Chakravarti, in reply, assured the House that his intention was to introduce a proper bill which would meet requirements of the situation.

The Council then adjourned to meet on the next day the 24TH MARCH when it discussed demands for grants under the head "Medical."

#### The Governor's Speech.

On the 24TH MARCH the Swarajists in a body abstained from attending the Council when His Excellency Lord Lytton presided. The Council and both farewell to the members and through them to the people they represented. In the course of his speech His Excellency said—



"The period in which we have been brought together and worked either in agreement or in opposition to each other has been a transitional period in which some have tried to prove the value and the others the futility of the present constitution. I recognise that both have been sincere. It will be my endeavour, when I return to England, to be equally sincere and to interpret as fairly as I can to my own countrymen both the merits and defects of the system of Government which, after full enquiry in this country they hoped, would be found suited to the existing conditions. I trust you will agree that I have rightly interpreted the facts of the situation, if I tell them that, while all parties in India desire the main principle of the British constitution to be applied in this country as nearly as possible, no constitution is likely to be acceptable which proceeds on the assumption that political conditions in India are similar to those which exist in Great Britain. Equally no constitution is likely to work well which is based more upon an abstract political than on a study of the actual conditions of the country. The existence of an Executive, which cannot be removed by the Legislature and of a Legislature which cannot be removed by the Executive, is not calculated to produce harmony between the two, and without harmony between the Legislature and the Executive efficient government is impossible. To ensure harmony an elected Legislature requires an Executive responsible to it and removable by it and an irremovable Executive requires a nominated Legislature. A system which secures the supremacy of the Executive, not by the support of the Legislature but by exercise of an over-riding authority, is not, I think, proving the best preparation for full responsible government.

#### Provincial Contribution.

"It will be agreed, I think, by all that we have had a difficult machine to work and the machine has been more difficult to work in Bengal than elsewhere, because of the inequitable financial basis on which the new Government was established in this province. The Weston Settlement has been a mill-stone round the necks of successive Governments, rendered all the heavier by the period of trade depression which followed the inauguration of the Reforms. The remission of all provincial contributions, which we are promised in the near future, will not help, but only accentuate the handicap which has been placed upon Bengal; for, the inequity consisted not in the amount of our contribution to the Government of India, but in the inadequacy of the sources of revenue, made available to the province. Those who criticise the failure of the Reforms in Bengal, must not, therefore, ascribe it to any special perversity in the Bengali race, but should recognise that, apart from the effects of the constitution itself, which Bengal has shared in common with other parts of India, this province has been placed under a handicap peculiar to itself.

#### Plea for Political Education.

"The Reserved Departments of the Government have suffered because they are reserved and therefore attractive targets for criticism and the Transferred Departments have suffered because there was no money for their development. There has been little attraction to the political parties to undertake responsibility for administering the departments that could not be adequately developed and party unity has been impaired by the rivalry of individual ambitions. Such conditions have facilitated political blackmail and led to charges of corruption, evils which must be attributed not to the country but to the system. In Great Britain during the evolution of the constitution, in the 17th and 18th centuries, when powerful families contended for power, similar evils were prevalent to a far greater extent. The remedy was found in the extension of the franchise and in the growth of organised political parties. The same remedy will no doubt, be found in India, but an extension of education is an indispensable preliminary to the first and adequate resources for the development of local needs are necessary for the second. During the life-time of this council, a new Parliamentary Commission will arrive in India to study the experience of the eight or nine years and to hear opinions from all sections of the population regarding the alterations, if any, which are desirable in the constitution of 1919. During that enquiry you will have an opportunity of explaining the past and of recommending changes in the future. May I suggest to you, in the capacity which I have asked you to allow me to assume to-day, that the larger the measure of agreement you can secure, the greater will be the value of the evidence you can give on both these points? It is for this reason that I have ventured to express an opinion on some of the larger issues involved in the framing of a constitution in order that

in the time that remains, you may be considering these issues and crystallising

#### Hindu-Muslim Unity.

Concluding, His Excellency referred to the problem of Hindu-Muslim unity and said that the two communities were equally divided in the province; but to say that the rivalry was an insuperable obstacle to any constitutional advance would be absurd, but to ignore altogether such a fundamental fact would be equally foolish. He welcomed the fellowship Movement. The only road to peace, said Lord Lytton, which offers any hope of success, is the one which the late Mr. C. R. Das tried to follow and which I have equally tried to follow in the formation of the Ministries, namely, the organisation of parties on political rather than on communal lines. How best to frame a democratic constitution, which will facilitate this object, and, whilst safeguarding the due representation of all, make the representatives answerable to a mind rather than to a communal electorate is, therefore, another issue which I commend to your special consideration. If the leading men of all parties and all communities in Bengal will concentrate their attention upon this problem, with which they are so especially qualified to deal, instead of waiting for outside suggestions, which each can criticise from their respective points of view, I feel sure that a solution will be found even before the Parliamentary Commission arrives, and in that case Bengal will justify the claim it is proud to make of leading the political thought of India. The suggestion that the British Parliament must decide the time and form of each successive stage in the development of the Indian constitution is often resented in this country and in one sense very naturally resented. But, gentlemen, there is no need to wait for Parliament if you can yourselves find a solution of the admitted difficulties which block the path of constitutional development. The ratification by Parliament of an agreement reached in this country would be an easy matter and involve no humiliation. It is only attempts to force prematurely a one-sided solution by violence and intimidation that bring strife and humiliation. In conclusion, I desire to assure you that nothing which has happened during my term of office in this province has at all shaken my faith in the necessity for developing the Indian constitution as rapidly as possible on lines which will provide for national expression. I have found the difficulties to be greater than I knew before I came here, but difficulties are made to be overcome. It is the test of statesmanship to recognise them and with unwearying patience and undiminished faith to overcome them.

# The Bombay Legislative Council

The Third Bombay Legislative Council under the Reforms Act met at Bombay on the 15TH FEBRUARY 1937. The business of the House on this day consisted of swearing in of Members and the election of Mr. Dhillvi as President. Next day, the 16th instant the business of the House included an adjournment motion which was disallowed and the election of Rao Bahadur Kambli as Vice-President.

## The Governor's Opening Speech.

On the 21ST FEBRUARY addressing the members of the Council His Excellency the Governor noted with satisfaction the much greater interest taken by the electors during the last election than on the previous occasion as was clear from the number of votes cast.

Referring to Dr. Paranjpye's new office, he felt sure that the members would congratulate him and would realise that not only would India benefit by the ability and experience which he would bring to the India Council, but that Bombay would have on it a representative fully acquainted with the needs of the Presidency. His Government had suffered a great and unexpected loss; but while Dr. Paranjpye's departure was a loss to them his services in London would be a great gain to India in general and to Bombay in particular during the next five years which were fraught with so much importance.

Coming to the budget His Excellency remarked that a deficit of Rs. 50 lakhs in Bombay's budget for 1937-38 was approximately equal to the amount of provincial contribution to the Government of India, so that but for what they had to pay away to assist the finances of the Central Government, they had in fact a budget which was balanced. His Excellency reiterated that the Meston Award had a very injurious and, to his mind, unfair effect on Bombay's finances. It was impossible, he continued without serious detriment to essential services and irreparable damage to the security of law and order and to the nation building services, to reduce expenditure further than had already been done.

"My Government does not feel justified in asking the Council to vote any further taxation in order to enable us to meet our liability to the Government of India and we are fortunate in being able for the time being to meet the excess from the savings. We do not do this without a misgiving, but with the confidence that a revival of the settlement coupled with some return of trade prosperity will enable us to continue to provide for the inhabitants of this Presidency those services to which they are accustomed and to which they have a right."

Regarding the agricultural situation, His Excellency assured the members, it was unlikely a situation of a very serious character would arise. Dealing with the roads, it would appear to him desirable that before any Central Road Board for India was set up full enquiry should be made into the question as to whether at any rate for a few years to come, development of roads should not be solely a question for local Governments and before any decision was arrived at, every presidency and province including Indian States should be consulted.

Concluding, His Excellency said that no one at present could forecast the constitution of the next elected Council, for during the life of the present Council the Statutory Commission would visit India and it might be that the recommendations of that Commission would have received Statutory sanction. So, the next Council might be a very different one. He did not mention this with any idea of suggesting that it should in any way influence the action of the members. On the contrary, he would urge them to do as they had done in the past, namely, to voice their views freely and honestly and consistently carry out their obligation to their constituents and their country. Judging by the past six years it might truly be said that the members of the Bombay Council had endeavoured to work the reforms, however limited in their scope and difficult in their application in many respects the statute might appear to some of them. That was the right spirit and the presidency had every reason to be proud of its elected representatives.

## Budget for 1927-28.

After the Governor's speech, Sir C. V. Mehta, the Finance Member, presented the Budget for 1927-28. In the course of his speech he said :—

The opening balance of the year 1926-27 was estimated at Rs. 664 lakhs which was expected to be reduced at the end of the year to Rs. 474 lakhs due to revenue deficit of Rs. 78 lakhs and deficit of 118 lakhs under capital and debts section. The revenue under the former head was Rs. 1,583 lakhs and expenditure 1,607 and under the latter head receipts were Rs. 317 lakhs and disbursements Rs. 483 lakhs. For the next year the revenue under revenue account is estimated at Rs. 1,508 lakhs and expenditure Rs. 1,558 lakhs leaving a deficit of Rs. 50 lakhs, while under debt deposits and advances receipts are Rs. 860 lakhs and disbursements Rs. 428 lakhs with deficit of Rs. 54 lakhs. The deficit of Rs. 78 lakhs, continued the Finance Member, was principally made up of decrease in revenue under three best revenue-earning heads, Land Revenue, Excise and Stamps. The decrease under the first head was due to unfavourable seasonal conditions and even larger suspensions and remissions would have to be given than had been estimated when the budget was made. Under Excise the fall was explained by the experiment of trying a system of simultaneous actions which, however, had not yielded the expected results though the cost to the State was certainly exorbitant. The third head, Stamps, had suffered owing to depression in trade.

Coming to the Development Department transactions which were not included in the figures given above, Sir Chhnilal said that an additional subsidy of 7 and a half lakhs had been provided for in the budget for next year to meet estimated loss on suburban schemes. The activities of the department had been curtailed but it was extremely difficult to make any reliable estimate of the loss. The department had put down what it considered liquidation value. This loss amounting to Rs. 111 lakhs was proposed to be covered by a subsidy of Rs. 7 and a half lakhs from general revenues to meet both interest and sinking fund charges on a 60 years basis.

Proceeding, the Finance Member referred to economy in public expenditure and said that in every country the Victorian ideal of letting the people do everything for themselves was being abandoned and the activities of the Government were extending in directions which were not only not contemplated before but where interference of Government was resented as objectionable. That the process of retrenchment could be carried on indefinitely and that it was possible to put limit on public expenditure would, he thought, be belied by the experience of every member who had taken part in Municipal or Local Board administration. Sir Chhnilal quoted figures to refute the statement that reserved departments were allowed to obtain major part of the revenues, while the transferred departments were starving.

While the expenditure on the latter had increased by over Rs. 45 lakhs, expenditure on the former had actually gone down by Rs. 15 lakhs.

Turning next to the criticism that per capita revenue and expenditure in Bombay was the highest, the Finance Member justified high per capita taxation on the ground of largeness of the area administered together with the comparative sparseness of the population and the high incidence of salary owing to Bombay being more urbanised and industrialised than any other province in India. The necessity of a higher cost of administration in this presidency was conclusively demonstrated by the fact that district municipalities, which were entirely controlled by elected representatives had also to spend more per head of the population in Bombay than other provinces. The five lakhs provided in the budget for expenditure on roads, said Sir Chhnilal, was all that the provinces' attenuated resources could afford until the Central Government was in a position to release a portion of the motor and petrol taxation to be shared in or utilized by the province.

He concluded with an appeal to the House to approach their work informed by the principle of deciding each question on its merits inasmuch as the policy of persistence in unreasoned and continuous opposition must indirectly tend to bring in the rule of communalism and time-serving expediency.

## Discussion of the Budget.

On the 29ND FEBRUARY led by Mr. Lalji HARAJIJI th: opposition groups delivered a strong attack on the Government's financial policy when the general discussion of the Budget was taken up. Severe criticism was directed to the policy of incurring big debts expenditure on the Backbay scheme and the development programme and Western settlement,

Mr. Lalji referred at the outset to the South African agreement and expressed satisfaction at the amicable understanding arrived at. He thanked the Union Government for the assistance rendered to the Indian Delegation in arriving at the agreement.

Proceeding to discuss the budget Mr. Lalji said that he was gratified at the appointment of an Indian Finance Member, but was surprised at the remark made by him in presenting the budget that the debts of the Bombay Government were less than two years' ordinary revenue and had been incurred for productive purposes. He considered such a statement an apology for the untenable financial policy of the Government. He appealed to the House to prevent the Government from spending the presidency's revenue in the Backbay scheme. He suggested that the deficit be wiped off by reducing top heavy expenditure. Why should not the Government for instance reduce one Executive Councillorship and one Ministership?

Mr. B. T. DESAI, Swarajist, said that he had been pained to read in the Finance Member's speech presenting the Budget who suggested that the policy of the Swarajists encouraged communalism. There was no occasion for making such a criticism of a party whose programme the Finance Member "had not the sense to understand."

Sir Joseph KEY said that much of the criticism that had been heard was due to the fact that members appeared to have forgotten that Bombay had been passing through a period of depression. The only criticism which was reasonable was that there had not been enough retrenchment. In this particular, the Finance Member should endeavour to do his best. After a few more speeches the House adjourned.

Next day, the 23RD FEBRUARY, when the general discussion on the Budget was resumed, Mr. B. V. JADHAV, ex-Minister, took exception to the remarks of the Finance Member in his budget speech about communalism and said that communalism was not a recent growth.

Mr. K. F. Nariman : Whom are you lecturing to ?

Mr. Pabalanani : Is the subject of communalism before the House, Sir ?

President : Where remarks relating to communalism are concerned I have to be particularly careful. The Hon'ble member is replying to certain remarks of the Finance Member about communalism. He is in order.

Mr. Jadhav resuming his address said that the essence of the financial problem was the lot of the agriculturist and all the attention and resources of the Government should be devoted to its betterment.

Mr. CHATFIELD tried to disabuse the members' minds of the impression they seemed to entertain that the whole Presidency was in the grip of famine. Whatever distress there was was only in some parts of the Presidency where there had been scarcity of water due to partial failure of the rains. That was nothing unusual. The Government were quite alive to the seriousness of the situation and prepared to do all to relieve distress.

Mr. ANGADI suggested that the Government ought to be able to carry on with less number of Ministers and Executive Councillors.

Mr. J. L. BIEU, Revenue Member, explained in detail the steps the Government had taken in tackling the agricultural situation. Revenue collections were being made with very great care and consideration.

Moulvi Rafiuddin AHMED maintained that so far as Muslims of the Presidency were concerned there was no communalism about them. It was not right to say that communalism was the result of separate electorates. Formerly the Government used to nominate Muslims to represent Muslim interests. Now the community elected its own representatives which was an improvement.

Mr. WINTERBOTHAM, Chamber of Commerce, appealed to the House to develop provincial patriotism and stand by the Government in their fight against the Horton Settlement. The House then adjourned.

#### Excise Minister's Statement.

On the 24TH FEBRUARY Mr. G. B. PRADHAN, the Excise Minister, explained the Government's excise policy. Since 1920-21, he said, as a result of the policy of rationing, consumption had come down so far as country liquor was concerned. In regard to foreign liquor, provincial Governments did not enjoy sufficient control. He declared that every effort was being made to enforce a policy of prohibition. The Government were determined to go forward with the policy at as rapid a pace as possible. Nevertheless, two members speaking on prohibition criticised the Government's policy and declared that very little had been done towards enforcement of complete prohibition.

The Government's educational policy was also strongly criticised by Khan Sahib Abdul LATIF KHAN who said that the portfolio had been entrusted to Ministers who were unconscious of Muslim educational interests and cared only for Brahmin education, Hindu education or Government education.

Explaining the Government's position regarding the need for retrenchment on which many members had spoken, the HOME MEMBER declared that out of the Police Department alone had been carried out to the extent of over Rs. 12 lakhs recurring expenditure. After such sweeping reduction, a strong demand came from the public and the press for increase in police establishment, particularly in the north of the city, where development was being retarded by insufficient police force. In the face of such a situation, it was difficult to make any further retrenchment.

Replying to the debate Sir Chinnai MEHTA, the Finance Member, asked the house to remember in criticising him that the Finance Member of a provincial Government which is a subordinate administration with many statutory obligations, was not free to do anything he liked. He was subject to many limitations of the system he had to deal with. Deferring to his remarks on the Swarajya Party, which had been criticised at great length, Sir Chinnai said his intention was only to invite the attention of the House to the directions along which the party's programme led the people. He had, however, no hesitation to concede that he owed his present position as the Finance Member to the fact that he was a member of the public and also to the fact that the public demand for participation in the actual administration had its effect on authorities. Coming to the budget, he repudiated the charge of himself being referred to as a Baniya. He accepted the designation and said that he would do his best to bring to bear the Indian point of view with all the skill attributed to a Baniya on the administration of the finances of the presidency.

The Budget discussion then terminated and the House adjourned.

#### Stamp Act Amendment Bill.

On the 26TH FEBRUARY the Government and the opposition came to grips and ultimately the Government won. A bill further to amend the Indian Stamp (Bombay Amendment) Act 1922 was before the House. Moving the Bill, the Finance Member explained that the object of the Bill was to make the Act permanent. The Act was passed for the purpose of increasing the revenue of the Government, and was to remain in operation for four years and if, at the end of that period, the financial position still made it necessary, its life was to be extended. A Bill to make the Act permanent was introduced last year, but the Council agreed to the extension of the Act only by one year. The result of five years' experience had proved the necessity of retention of the revised scale of fees enacted in the measure. The rejection of the Bill by the House, continued Sir Chinnai, would mean a loss to the Government of about Rs. 20 lakhs. By making the Act permanent, Bombay would only be coming into line with other provinces where the stamp duty was revised at about the same time as in Bombay but was made permanent at the enhanced rate.

Opposition to the Bill was mainly based on two conditions that no more money should be given to the Government inasmuch as it had not spent its resources in the past and that the duty proposed to be made permanent would fall heavily on the poor people more than the richer classes. The house rejected the Swarajist motion for postponement of consideration of the Bill till the next session and passed it at its first reading by 52 to 27. The second and third readings were also passed. The House then adjourned.

#### Demand for Supplementary Grants.

On the 26TH FEBRUARY a number of supplementary grants were discussed and passed in the Council. One of them was a demand for Rs. 10,000 excess expenditure in connection with elections. The Home Member explained that the increase of Rs. 10,000 over the estimate was necessitated by larger number of electors who polled and larger number of polling booths. In the course of discussion, members drew attention to many defects and shortcomings of the voters' list. The House then agreed to the grant.

#### Aden Civil and Criminal Justice Act.

The Home Member then moved that the Bill further to amend the Aden Civil and Criminal Justice Act be read for the first time. The object of the Bill was to appoint a judicial assistant to the resident at Aden who would be able to exercise in cases referred to him all powers of the resident with a view to relieve the latter of at least a greater part of his civil judicial work. The first reading was passed, Swarajists supporting the measure. The Bill was then proposed to be read a second time.

Mr. Amritlal Sheth moved an amendment that the Bill be referred to a select committee of nine. The amendment was carried and the house adjourned.

#### City Municipalities Act Amendment Bill.

On the 25TH FEBRUARY the House passed a Bill further to amend the Bombay City Municipalities Act 1925. The object of the Bill was to give power to the Government to extend beyond the period prescribed by Section 24 of the Act and up to date not later than 31st December 1937, the life of an expiring Municipality or of a municipality whose term had expired validating all acts and proceedings done by the latter municipality as from date of its original term of office. When the section referred to was inserted in the Act, it was expected that time given to newly constituted borough municipalities would be sufficient to enable them to digest rules for holding of new elections. But this expectation had not been realised and the present measure was found necessary.

The next motion the Council considered was the acquisition of the sailors home and plans for proposed new Council Hall be approved and 8 lakhs and thirty thousand be spent on work of building proposition which was moved by the Finance Member and it evoked considerable hostile criticism especially from Mr. J. C. Swaminathan who, as representative of the cultivators, "would much rather sit under a banyan tree and legislate than squander as much as 8 and a half lakhs on acquisition of new hall." The proposition was eventually passed. The Council then adjourned.

### Voting on Budget Demands.

#### Demand Under Land Revenue.

Voting on demands for grants in the Council commenced on the 1st March 1938. The first demand taken was under the head Land Revenue. The debate on this demand continued till the 3RD MARCH when Rao Saheb D. P. Desai moved that the provision of Rs. 51,86,000 for revenue collection be reduced by seven lakhs. He appealed to the Government not to enforce collection wherever famine conditions prevailed.

Supporting the motion, Mr. W. B. Mukadan, whip of the Congress party, said that the situation was so serious that some agriculturists were borrowing at the rate of four annas per rupee per month. He even knew of an instance in which a farmer was obliged to go to the humiliating extent of pledging his womenfolk. Though the last was an extreme example, it nevertheless indicated the extent of the evil.

After further discussion the motion was thrown out and the Council adjourned.

On the 4TH MARCH, the Council passed the demand of nearly Rs. 53 lakhs under the head Land Revenue after all of the nearly 80 motions for either reduction or omission of provisions were withdrawn or lost in the course of yesterday and to-day.

#### Demand under Irrigation.

On the suggestion of Sir Joseph Kay (Chamber of Commerce) the House agreed to postpone till 7th March consideration of the motions for cuts in grants for development schemes. Demands for construction and irrigation works were then taken up. Mr. Cowanji Jehangir, General Member, at the outset made a statement on the progress made in Sukkur Barrage works. The first motion for a cut in the demand was moved by Mr. G. I. Patel who wanted that provision of Rs. 24 lakhs for special tools and plants should be reduced by Rs. 10 lakhs.

Mr. B. T. Desai, Swarajist, demanded an inquiry into the complaint so that the presidency might be saved from a repetition of the history of the Backbay Reclamation Scheme. The Chief Engineer in charge of the Sukkur Barrage explained that during the three and a half years of his regime only three engines costing about Rs. 4,000 were found inefficient and thrown into the store room. They were working against time and had, therefore, to employ labour-saving and time-saving machinery as much as possible.

After further discussion the motion was put and lost and the house adjourned.

#### The Sukkur Barrage Scheme.

On the 5TH MARCH discussion was resumed on cuts under construction and irrigation works. Mr. Fakhrajani moved that the total amount of Rs. 1,53,33,000 be reduced by Rs. 53,33,000. This provided an opportunity for the general criticism of the Sukkur Barrage construction works in which all sections of the House joined. Several members gave expression of apprehensions that there were many defects in the carrying out of work. Allegations of waste and irregularity were made and a strong plea was put forward for the appointment of an expert Committee to investigate the present state of affairs and

ing before the public the exact condition in which the scheme was. Criticism was particularly directed to what was described as extravagant scale on which bungalows had been built for the conveniences of officers engaged on the works. The Sakkar Barrage scheme, it was contended, would, if successful, be not only to the benefit of the Government of Bombay but also to that of the Government of India. It was only proper therefore that the Government of India should bear a part of the expenditure on it.

Mr. Wiles, Finance Secretary, Mr. Harrison and the Chief Engineer replied on behalf of the Government and assured members that strictest control was being exercised on every item of expenditure and the position of the scheme was very satisfactory. The Chief Engineer denied that bungalows were in any sense luxurious and said that even after completion of works, these would be in use as residence of officers in charge of the scheme.

Further discussion was adjourned till the 7TH MARCH when Mr. Pahalajani, replying to the debates, re-iterated the demand for a committee of enquiry into the Sakkar Barrage Works.

The General Member, on behalf of the Government, admitted that the work had been 10 months behind scheduled time, but in big schemes like the Sakkar Barrage some delay was possible. The construction of canals was progressing at a very satisfactory speed and irrigation could be commenced in the hot weather of 1931. The dredgers, it was true, had not done what was expected of them but that had not impeded the progress. The Government had no objection to a committee being appointed as suggested to scrutinize the works and the officers in charge would give it all help they could. The motion was put and lost.

#### Demand under Excise.

The Government's Excise policy then came under discussion when a number of cuts were proposed in the demand for about Rs. 52 lakhs made by the Excise Minister. The debate evoked declaration from the Finance Member that several distilleries had been closed and every effort was being made to enforce the declared policy of prohibition. All motions for cuts were lost and finally the house took up discussion on a cut of one lakh in the whole demand which raised the question of policy. After a few speeches the discussion was adjourned.

#### Bombay Development Schemes.

On the 8TH MARCH an important statement on the activities of the Development Department was made by Mr. Cowasji Jehangir, General Member, in moving the demand for Rs. 66 lakhs for development schemes in Bombay. With regard to the Reclamation he said that the Government had accepted the Mears Committee's recommendations to complete Blocks 1, 2, 5 and 7, but the Government would fully abide by the Council's opinion regarding the work on Block 6. Dealing with the recent accident to the dredger, Sir George Lloyd, he said that the committee which had inquired into it had found that no individual was responsible for it. The dredger was covered by insurance, but the company with whom the insurance was placed had not yet accepted liability. Meanwhile, work on Block 7, which was interrupted by the accident, has been continued with the help of the Kaim. As for suburban schemes, about Rs. 7 and one half lakhs would have to be provided for meeting losses on them, in conclusion he announced that the Government of India had agreed to reduce the interest charged in 1931-22 of Rs. 155 and one half lakhs from 6 and one fourth to 4 and three fourth per cent, and to deduct the loan from the cost of Block 8 of Back Bay which is to be handed over to the military authorities. He also announced that the Development Directorate had been taken under direct control by the Government.

Mr. Joseph Kay moved a cut of about Rs. 21 and one half lakhs in the Rs. 48 lakhs provided for Back Bay and pleaded for abandonment of the work on Block 6. The motion was widely supported.

The discussion was continued on the next day the 9TH MARCH when all speakers expressed strong opposition to filling Block VI on the ground, chiefly, that it would not find a ready market when reclaimed, seeing that all the land already there had not been taken up.

The Government member replying reiterated the assurance that the Government were prepared to abide by the Council's decision as to the work on Block VI.

Mr. Joseph's motion was put to a division and carried by 65 against 35.

The House then considered the reduction Rs. 1 in the total demand for development proposed by Mr. Lajpat Moolji. Mr. Lajpat criticized the policy and working of the Development Department, which he characterized as a "fraud on the Council and the public."



which had had the effect of mortgaging the progress of the Presidency for about two decades. The motion was defeated by a large majority.

#### The Administration of Aden.

On the 10TH MARCH surprise was expressed by the Home Member at the settlement announced in the Assembly regarding the future administration of Aden. The Government of Bombay, he said, did not, in view of that settlement, propose to proceed with the second reading of the Bill further to amend the Aden Civil and Criminal Justice Act of 1884. During the first reading of the Bill a few days ago he and the Chief Secretary had no reason to suppose that this decision was imminent. The fact that the Government of India had permitted the Bombay Government to proceed with the Bill showed that this decision was not expected. As to what the nature of the future administration of Aden was going to be was not known to the Government of Bombay beyond what had appeared in newspapers and it was obvious that many of the details in regard to that administration had not been settled. The Home member added that the Government of Bombay would press their claims in regard to the expenditure recently incurred by them.

#### Demand under Excise.

The House then proceeded to discuss the excise policy of the Government and had not concluded when the Council adjourned.

On the 11TH MARCH, replying to the debate, the Hon. Mr. G. B. Pradhan, Excise Minister, reiterated that the Government did not propose to go back on their decided policy. Several of the recommendations of the Excise Committee had been given effect to. Steps which the Government had so far taken were rationing, reduction in the number of shops, bringing down the strength of liquor, increasing the still-head duty on hemp drugs and opium. They had also curtailed the hours of sale. Clubs selling foreign liquor had been brought under control by the imposition of vend fee. The Government were anxious that people should not go in for cheap foreign liquor in the place of country liquor. The main difficulty was bringing the Native States in line with the prohibition policy adopted by the Government. As a result of the fall in revenue, many of these States were clamouring and the Government were trying to secure their Excise rights by paying more compensation. The most effective method by furthering the policy of prohibition was to make the tax on liquor as high as possible without stimulating illicit production to a degree which would increase instead of diminishing the total consumption and without drawing people to substitute drugs and other harmful form of liquor. The Government were not anxious to continue this form of raising revenue if other ways and means could be found which would throw the burden on broad shoulders and not on the shoulders of the poor.

Mr. Patel's motion to reduce the demand under Excise from Rs. 51 lakhs was then put and lost and the total demand was carried.

#### Demand under Education.

The House then took up the demand under the head Education and proceeded to discuss the policy of the Government with reference to the European education.

After animated discussion the Council threw out Mr. Shrivatsa's token motion for a cut of one rupee in the demand for Rs. 7 lakhs for European education in the presidency. The mover said that his motion was intended to record the protest of the House against the system by which the subject of European education was kept beyond the pale of popular control. The House then adjourned.

On the 12TH MARCH the discussion on grants for education was continued. Rao Sahib Dr. Patil moved a cut of Rs. one lakh from Rs. 7 lakhs provided for Government Arts Colleges and complained that the Government was spending more in higher education and starving primary education. On the Education Minister's explanation that local bodies had been asked to submit schemes for the progress of primary education and these the Government would consider and sanction, the Rao Sahib withdrew the motion.

A motion for a cut of Rs 51,000 for inter-science classes at the Deccan College, Poona, evoked considerable discussion. Supporters of the motion argued that it was not fair to give artificial support to any institution and complained that the claims of Dharwar College had not been considered. It was also maintained that the Ferguson College had science classes already and there was no urgent need for opening similar classes in the Deccan College. Opposition to the motion ran on communal lines. One Muslim member declared that there was great demand for inter-science classes in the Deccan College as

Mahomedan students were kept away from the Ferguson College, since the intention of the Brahmins who controlled the latter was to keep Mahomedans uneducated so that they might not compete with them. The motion was eventually withdrawn.

The House then proceeded to discuss the total grant of about Rs. 3 crores for Education—Transferred. The Government was subjected to severe criticism on the score of having transferred the responsibility for primary education to local bodies who were hardly capable either financially or otherwise to bear the burden. The discussion was adjourned.

#### Administration of Aden.

On the 14TH MARCH Mr. A. Sheth moved an adjournment of the House to consider the transfer of Aden to the Imperial Government and voiced the resentment felt by the members at the failure of the Government of India to consult the Bombay Government or the Council before reaching a decision. The motion called forth a statement on behalf of the Government of Bombay from Sir Chunnilal Mehta who put the House in possession of certain information on the subject which had been communicated to the Government. Firstly, the transfer related purely to military and political matters. The civil administration would continue to be in the hands of the Government of India and it was understood that Aden would continue to be as at present part of British India. Military and political administration of the settlement, continued Sir Chunnilal, were never the concern of the Bombay Government as relations with neighbouring powers or authorities and with European powers who had interest in that region were not in their charge or of concern to the Bombay Government in whose position therefore the decision announced made no change. In view of the explanation, the motion was withdrawn.

#### Demand under Education.

The Minister for Education then announced that he was considering the appointment shortly of a Committee to go into the curricula of primary, secondary and higher education with a view to co-ordinate these courses and to give them a vocational bias. In regard to the working of the primary Education Act, he had issued instructions to officers in his department not to work the act in a harsh manner, but so as to give the local bodies as much freedom of action as possible in all domestic matters. The demand for education was then unanimously passed.

#### Demand under Agriculture.

The House then took up discussion of the demand for 25 lakhs for agriculture and rose for the day before concluding it.

On the 15TH MARCH Sir Chunnilal Mehta, speaking on the demand under the head agriculture of Rs. 25 lakhs, admitted that there was a big gap in the requirements of the agriculturists while there was no agency to supply the co-operative movement contributing about six crores out of seasonal needs of agriculturists amounting to 25 crores. There was, therefore, some truth in the complaints from the cultivators that large areas of lands were lying uncultivated for lack of funds and when this was brought to his notice in Khandesh, the complaint was investigated by a committee and the maximum limit of the borrowing of the cultivators in these parts was raised from 800 to 600 rupees. There were several tracts in the presidency where the cultivators could safely be given more loans than at present and provincial co-operative banks had large sums of money which could be utilised for the purpose.

Mr. G. B. Praekhan, Minister for Agriculture, said that the whole question of fragmentation of holdings was under investigation by the Government. The total demand was then made.

#### Demand Under Public Health.

The demand for Rs. 21 lakhs under public health was discussed at length. Mr. Shivdasani complained that Gujarat did not receive a fair treatment in the matter of grants for works relating to public health. After further discussion, the demand was made in full and the House adjourned.

#### Non-official Bills Introduced.

On the 16TH MARCH a number of non-official bills were introduced. Out of eight bills formally introduced two related to the President's salary, one of them seeking to reduce it from Rs. 2,000 to Rs. 2,000 and the other allowing him a salary only so long as he devoted the whole time to the business of the Council. The third bill moved by Mr. J. Addyman had the object of enabling the Government to authorise the Western India Turf Club to permit the presence on the race-course in Poona and Bombay of a limited number of bookmakers. It had been found by experience, he said, to be im-

possible to suppress unlicensed bookmakers from the premises of the Turf Club and despite the efforts of the police it was known that the bookmakers existed outside these premises. It was obviously better that such gambling as did exist should be under proper control and it was believed that, under strict conditions which it would be possible to enforce, much of unlicensed gambling could be suppressed. The fourth bill was intended, as the mover explained, to remove inequality between the rich and the poor candidates in an election under the law as it existed, hiring of vehicles was included in corrupt practices but a rich and influential candidate evaded it by borrowing vehicles from friends, while the poor rival was at a disadvantage in that his only recourse was to hire vehicles which was prohibited by rules.

#### Election to Advisory Committee.

The House then devoted over two hours to the question of electing members to the Advisory Committees of the three railways in the city but finally postponed the election till the next day.

#### Land Revenue Assessment Committee's Report.

The first non-official resolution standing in the name of Rao Bahadur Kale and recommending that immediate effect be given to the suggestions contained in the report of the Land Revenue Assessment Committee recently published was then taken up and was still under discussion when the House rose for the day.

On the 17TH MARCH only one non-official resolution could be disposed of by this session of the Bombay Legislative Council before it was prorogued. With the exception of an hour for questions the day was occupied with discussion on Rao Bahadur Kale's resolution for giving effect to the recommendation of land revenue assessment of which two were specially stressed by non-official members as most urgent and important. They were, first, that in revising assessment of land revenue regard should be had to the profits of cultivation. The Settlement officer should take into account the following factors : (a) The state of communication during the previous settlement; (b) Proximity of markets; (c) Trend of prices; (d) General economic conditions and history of tract; (e) Result of crop experiments and (f) Rental value. In order to ascertain the rental value the real rents paid in open competition by tenants to landlords during the five years immediately preceding the revision settlement excluding years of abnormal prices should be taken into consideration.

Secondly, that the standing to examine all revision settlement proposals. The non-official section of the House maintained that permanent settlement should be introduced after equalising assessment by fixing it as 25 per cent. of the profits of cultivation. Failing this no revision of the settlement should be made without the approval of the Council. They condemned the Government's action in proceeding with the revisions while the whole question was still under consideration of the Council. Officials pointed to the delay that had already taken place in arriving at a decision on the question and contended that several lakhs of rupees would have been lost to the State if revision of settlement had not been carried out by the Government.

Finally, the resolution was carried by 53 to 29 with the addition that pending legislation along the lines of the recommendations of the committee, orders should be issued to the revenue authorities concerned not to collect assessment charged in revision after the 15th March, 1934.

*The Council was then prorogued.*

# The Madras Legislative Council.

On the 24TH JANUARY His Excellency the Governor, accompanied by Viscountess George drove in State to the Council Chamber and opened the third Reformed Madras Council, which he addressed. Mr. C. V. S. Narasimha Raju, the President, was in the chair. There was full attendance of members and nine new members took the oath of allegiance.

The most important business after the Governor's address was the election of the Deputy President, for which the Independent Party nominated Mrs. Muthulakshmi Ammal, the lady member of the Council. Other candidates having withdrawn from the field, she was elected unopposed as Deputy President.

## Governor's Address.

H. E. the Governor, in addressing the Council, observed since the last session there has been considerable change in the position of parties, but there has been change in the needs and requirements, in the hopes and aspirations of the people of this Presidency and of India as a whole as to the measure of time in which these can be fulfilled and the ultimate extent to which they can be satisfied. There may be difference of opinion, but I would venture to hope that at least on the road towards those ideals we can all march together in a spirit of joint endeavour and determination, that no action of ours shall obstruct the forward march, although different paths may be chosen all leading in the same direction.

It is for us here in Madras, in the Presidency in which so strong effort has been made to work the Reforms to demonstrate at this psychological moment in the history of the Reforms our fitness for further responsibilities.

In conclusion, the Governor referred to the Statutory Commission provided for by the Government of India Act, which will begin to function at the latest in 1939, and in any case in the life-time on the present Council. He was convinced that the members of the House were cognisant of the paramount need of demonstrating to that Commission that the education of the electorate and the country at large and the development of team spirit, which should underlie and was the necessary concomitant of all democratic institutions, had proceeded on right lines towards further constitutional development and reorganisation of the machinery of the Government so as to conduce to the best advantage of the Presidency.

H. E. hoped especially that with ungrudging co-operation of the Council a strenuous campaign will be initiated for educational advancement and general amelioration of the depressed and backward classes, whose progress would without doubt facilitate all further steps.

## Adjournment Motion on Mettur Project.

On the 24TH JANUARY, after interpellations, a motion for the adjournment of the business of the house to discuss the unsatisfactory nature of the Irrigation Department and the necessity for modifying with a view to grant irrigation facilities to the district of Trichinopoly was moved by a representative of that district. The President allowed the motion which was set down for discussion on the next day subject to the approval of the Governor. The house then proceeded to transact non-official business.

The first item was a resolution recommending that famine relief works should at once be started by the Government in non-deltaic tracts of Nellore district. A number of amendments extending the scope of relief works to other areas were also tabled.

The House next permitted Mr. Saldanha to introduce an amending bill to the Elementary Education Act. The Amending Bill to the Andhra University Act was not moved.

After lunch the adjournment motion brought by the member from Coimbatore to discuss the unsatisfactory nature of Government order on irrigation and the urgent necessity to modify it, specially with a view to granting some irrigation facilities under Mettur scheme to districts of Coimbatore and Salem was discussed.

Mr. Narayanaswamy Pillai moved an amendment to include Trichinopoly also, but it was ruled out of order. Representatives from Salem, Coimbatore and Trichinopoly supported the motion. The mover pointed out that the Mettur project had depopulated 56 square miles of land for purpose of stagnation water and had rendered homeless about ten

hundred thousand. The speaker urged that the Government should provide for irrigation by way of compensation of about 25,000 acres of land below Mettur dam for which the people of Salem and Coimbatore were prepared to pay even at maximum rates.

Sir C. P. Ramaswami Iyer, replying on behalf of the Government, said that the scope of the Mettur Project was such that the extension of the scheme to Coimbatore and Salem was impracticable while the district of Trichinopoly was well served by Kattalai system.

The member for Tanjore was speaking on the motion when the President announced that it was five and the discussion automatically stopped.

On the 25TH JANUARY, an adjournment motion brought by a member from Coimbatore to discuss the "unsatisfactory nature of the Government order on irrigation and the urgent necessity to modify it, specially with a view to grant some irrigation facilities under the Mettur scheme to the districts of Coimbatore and Salem," was talked out.

The mover pointed out that the Mettur project had depopulated 56 square miles of land and had rendered homeless about 200,000 people. He urged that Government should provide for the irrigation of about 25,000 acres of land below the Mettur Dam, for which the people of Salem and Coimbatore were prepared to pay even maximum rates. Sir Ramaswami Iyer, replying on behalf of Government, said that the scope of the Mettur project was such that an extension of the scheme to Coimbatore and Salem was impracticable, while the district of Trichinopoly was well served by the Kattalai system.

On the 26TH JANUARY, a resolution urging the Government to start relief works, including remission of revenue for the next three months in the non-deltaic tracts of Nellore and in areas affected by the failure of the monsoon in the districts of Namjam, Godavery, Guntur, Karnool, North Arcot, Trichinopoly, Tinnevely, Bellary, Anantapur, etc., was passed after a prolonged discussion. The Revenue Member explained the Government policy and said that relief measures could not be directed to compensating farmers for any loss they may have sustained during a bad season. The Government directed their attention primarily to taking steps to avert the loss of human life, and to support those who might become destitute. He, however, promised to take such measures as were possible through the agency of district officers.

On the 27TH JANUARY, Mr. Satyamurthi moved the adjournment of business for the purpose of discussing a matter of urgent public importance, namely, the need for the Government of Madras to represent to the Government of India the opinion of the Council that it wholly disapproved of the action of the Government of India in sending Indian troops to China, taken as it was without reference to the Legislative Assembly.

The President asked the mover whether the motion was in order.

Mr. Satyamurthi stated that the motion merely sought to communicate the opinion of the house, as a representative popular body, to the Central Government, and had no intention of interfering with the foreign relations of the Central Government. Besides, matters affecting the Central Government had on previous occasions been discussed on the floor of the House. He pointed out that the matter was also of local importance as troops, especially Sappers and Miners, were reported to be despatched from the Madras Presidency.

Sir Ramaswami Aiyer, the Leader of the House, objected to the motion as it affected the relations of the Government of India with a foreign Government.

The President satisfied himself that the motion was in order, and allowed its discussion being fixed for the afternoon, subject to the Governor's approval.

Before the Council rose for lunch the President announced that the Governor had disallowed Mr. Satyamurthi's adjournment motion.

#### Moplah Colonisation of the Andamans.

There were about 45 resolutions on the agenda, of which only three were discussed and passed. The most important of these was one on the Moplah colonisation of the Andamans which recommended to the Government that immediate steps be taken to cancel the scheme and to transfer all Malabar rebellion prisoners from the island to Indian jails.

Khan Bahadur Mahomed Osman, Home Member, stated on behalf of the Government that the Government of India was responsible for the scheme, that at present there was no such things as Moplah colonisation, since the scheme had been made an all-India one, and that the objections raised against it were purely sentimental. Several members spoke condemning the scheme and asking for its immediate cancellation. The resolution was passed by 66 votes to 23.

Another resolution passed on this day recommended to the Government to amend the Famine Code in order to facilitate famine relief works by zamindars and landowners.

## Hinda Religious Endowments Act.

Replying to interpellations regarding the Hinda Religious Endowments Act, the Law Member said that in view of the circumstances it was the intention of the Government with the help, if possible, of members of all the interests concerned, to explore the subjects about which a controversy had taken place, and to bring forward an amending Bill at the earliest opportunity to improve the Act, wherever necessary, and make it acceptable to the people for whose benefit it was intended.

The first Session of the Madras Council closed on this day after a four days sitting to meet again on the 1st March for the Budget session.

## Financial Statement for 1927-28.

On the 1ST MARCH, in presenting the financial statement for the year 1927-28, Mr. T. E. Moir, the Finance Member, summarised the position thus:—

"Against a revenue of 1654·80 lakhs we anticipate an expenditure of 1724 18 lakhs in 1927-1928. Expenditure on that scale is rendered possible only by the fact that we have accumulated revenue balances amounting to 134·71 lakhs. These balances once spent do not recur and represent in part unanticipated windfalls, in part expenditure in previous years less than what provided for in their budgets. We are also labouring under the disadvantages of an unfavourable season which will affect the revenues of the coming as well as of the current year. Even under normal circumstances these revenues increase but slowly and our existing commitments will for several years continue to absorb the major share of such additions to our resources. We have also large commitments under schemes of a non-recurring nature while schemes of capital expenditure are for the present making increased demands on our revenues in connection with the payment of interest and the re-payment of capital.

"It might under these circumstances be urged that there is an element of recklessness in the budget now placed before the Council. I do not deny that all these considerations give food for thought but in the first place we may reasonably hope that the next monsoon will not follow the example set by its predecessor. Our commitments are not so out of our control that we cannot adjust future expenditure to our existing resources, should that, I sincerely hope it will not, prove necessary. And I am so impressed by the immense amount of ground yet to be covered in all administrative directions that I am unwilling to give the signal for reduced speed until convinced that it is essential.

"And here it is well to remember that our potential resources are not exhausted, though when and to what extent they will be released rests ultimately in other hands than ours. Although it is a matter in which a heavy responsibility rests upon our representatives elsewhere, we still pay a contribution of 165 lakhs from our provincial revenues to the Central Government. With that sum at our disposal we would have sufficient resources to meet all reasonable or possible administrative developments for the next three years.

"It is the peculiar misfortune of our Presidency that in its Pilgrim's Progress towards possession of its own estate, it has encountered and still encounters formidable obstacles and that at each stage fresh and fierce lions roar against it. But so far as the Government of India are concerned the long fight is over. In the budget which was produced in the Legislative Assembly yesterday the Hon'ble Sir Basil Blackett announced that if the Government of India's proposals for 1927-1928 are adopted they ensure a total recurring remission in respect of the provincial contributions of 350 lakhs and a non-recurring remission of 255 lakhs. The share of this Presidency is 116 lakhs recurring and 49 lakhs non-recurring, that is to say our province will at last stand in full possession of its proper revenues.

"It would be rank ingratitude on my part if, knowing as I well do how colossal the task has been, I fail to pay a tribute to the sincerity and the determination with which Sir Basil Blackett has laboured to remove what he has termed "a millstone round the neck both of the Central Government and of the Provincial Governments poisoning their mutual relations and hampering every action." I do not ignore their lions still in the path nor am I prone to count my chickens before they are hatched but I fervently trust that his efforts will be crowned with success and that that success which will mean so much to this Presidency will be secured not merely by the goodwill of the Government of India but by the active co-operation of our own representatives in the Central Legislature.

"I have already stated that given our revenue we can contemplate a noteworthy and continuous development of our ameliorative programmes during the next three years, that too without any additional taxation: such is the prospect opened before our eyes. It

exceeds our most sanguine anticipations and it is one which I venture to think this Council and the people of this Presidency will not readily forgive."

With the expenditure put at an advanced figure with large commitments under schemes of a non-recurring nature with schemes of capital expenditure making increased demands conceded, it might be urged that there was an element of recklessness in the budget. But he hoped for better monsoon next year and Govt's commitments were not so out of control that they could not adjust future expenditure to their existing resources. Still, their potential resources were not exhausted. Even the present schemes were made possible by reason of accumulated revenue balances which to-day amounted to 124 lakhs.

#### Discussion on Important Bills.

After the Finance Member's speech the Council granted a sum of Rs. 50,000 to the Government for the purchase of sera and vaccines required for the inoculation of cattle. A heated discussion next ensued on the Finance Member's resolution asking for approval of the houses for continuation of unfinished irrigation and civil works. The opposition characterised the motion as illegal. After considerable discussion the motion was put and lost without division.

#### Small Causes Courts Act.

Sir Ramaswami Iyer then introduced a Bill to amend the Madras Presidency Small Causes Courts Act giving jurisdiction to the city civil court now vested in High Court to try cases relating to the title of property of small value. The Bill was passed into law. Two other official bills were then introduced and referred to the Select Committee. The first was a Bill to amend the Madras Prevention of Adulteration Act providing effective remedies against sale of watered milk, adulterated ghee, butter and the second Bill to repeal the Madras Planters Act. The Council adjourned.

### The Budget Discussion.

That dyarchy is unworkable in practice was the sum and substance of the speeches made in the Council on the 3RD FEBRUARY in course of the general discussion on the budget. While the Congressmen said so directly, members of other parties gave out enough material to enable any impartial observer to come to that decision. The first speaker was a Swarajist, Mr. P. C. Venkatapathi Raju, who drew attention to the lack of irrigation facilities and starving of nation-building departments.

Sir A. P. Patro, ex-minister, congratulated the Finance Member and said that financial independence was a condition precedent of provincial autonomy. He pressed for relief in taxation notably in court fees and stamp duties.

Mr. G. Harisarvothama Rao subjected the budget statement to a critical analysis from the democratic point of view, and proved how it hopelessly failed to stand that test. The cause of the ryot was advocated by everyone of the speakers and the encouragement of cottage industries and hand-spinning was also advocated. Mr. Krishna Nair sounded a note of warning against proceeding with further work in connection with the gigantic Cauvery meter project which is estimated to cost more than six crores without placing on the statute book an irrigation law which the irrigation member himself had very often emphasised as essential before launching upon any big project. The way in which selections are made to the High Court Bench came in also handy for criticism while a Christian and two Mohamadan members pressed for communal justice. The discussion was on the whole on a high level compared with the previous years.

On the 4TH MARCH, in course of the general discussion on the budget, attention was drawn among other things to the need for promotion of rural sanitation, indianisation of higher posts, notably in the police department and the improvement of the machinery of administration of civil justice in mofussil.

Doctor Muthulakshmi Ammal pleaded for the establishment of children hospital for Madras and opening up of new secondary schools for women. Opposition members also urged retrenchment and reorganisation of the departments of agriculture and industries.

Mr. C. Wood, Madras Chamber of Commerce, welcomed the budget as a laud and business like one and expressed appreciation of the provision for agricultural and industrial development but regretted a lack of provision for combating social evil. The Council then adjourned.

### Voting on Budget Demands.

Voting on Budget demands commenced on the 14TH MARCH. Token motion on demand under Survey and Settlement, under the head Land Revenue afforded opportunity for opposition members to criticise the Land Revenue Policy of the Madras Government,

Speakers emphasised the need for the introduction of a satisfactory Land Revenue Settlement Bill giving the Legislative Council power to fix rates.

Mr. Marjoribanks, Revenue Member, replying said that the Council had no mandatory voice in the matter and that the proper course would be for the responsible Minister to bring in a motion. The token out was carried. The Council next negatived by 57 votes to 38 the Swarajist motion for total omission of Rs. 24,78,800 allotment for Survey and Settlement.

#### Demand Under Excise.

On the 16TH MARCH discussion centred round the Swarajist motion for a token out in the salary of the Excise Commissioner.

During question time the Home member stated in answer to interpellation that the number of women and children taken to Andamans under colonisation scheme was 836 and 510 respectively.

Swami Venkatachalam Chetty, opposition leader, warned the Ministry that no country would tolerate a Government which did not quicken up the pace to total prohibition. Mr. Krishnan Nair in calling on the Independent Ministry to carry out the policy of prohibition took occasion to declare that the "Justice" party had decided not to accept office in the present Council. The President asked him to confine himself to the Excise policy. Mr. Krishna Nair drew attention to the fallacy of the Swarajists condemning diarchy and at the same time supporting Ministry. Several speakers emphasised the need for forward step towards total prohibition.

Replying to the debate Mr. B. N. Arogyaswami Mudaliar, Excise Minister, declared that the Ministry had accepted the ideal of a dry Madras and would work up to it by definite and progressive stages. His policy would be a further reduction in consumption by the extension of prohibition areas, extension of duty on spirits and such other methods as were suitable. The financial aspect of the matter was under consideration and the Finance Committee had not yet reported. Subject to the limitations of diarchy he would work up to the goal.

Mr. Satyamurti declared that Congressmen were there to kill diarchy. The policy of the present Ministry was an advance on the record of the "Justice" Ministry. He added that if the Raja of Panagal as the leader of the "Justice" Party stated from his place in the Council that diarchy was unworkable, the Swarajists would readily join the "Justicites" in defeating any Ministry. But they would not break the present Ministry on the strength of what the "Justicites" had been saying with a view to coming to power again.

After further discussion the token out was carried by 59 against 50 votes. Next the whole demand under Excise was put and carried without a division.

On a token out under the head "Stamps" the opposition members urged a reduction in Court Fees. The Council then adjourned.

#### Demand for Provincial Autonomy.

On the 18TH MARCH the grant of further constitutional reforms, particularly provincial autonomy for Madras was strongly urged by the opposition members in the debate over a token motion under "Allotment for the Governor's Household".

Mr. S. Satyamurti, Deputy Leader of the Congress Party, declared that he would not raise the larger question of Swaraj for India, but would deal with the question of abolishing diarchy by granting autonomy to the province. He added that diarchy could not be worked. The Government should always be whole and indivisible. He asked those who felt that they could resist the advancing wave of modern democracy, whether they were going to drive all to despair and make of India a greater Ireland.

The speaker was there because he believed that the political question would be solved by mutual goodwill. He quoted the views of the Raja of Panagal and Sir A. P. Patro submitted to the Muddiman Committee in support of the contention regarding the unworkability of diarchy. He contended that when the party whose members were the "pet children of the bureaucracy" had stated that diarchy was unworkable and autonomy was necessary, there was no case for the Government. Sir Malcolm Hailey's assurance that his Government would do all that could be done was empty. He was sure that the present Ministers would find very soon that they were there to carry out the behests of unseemly powers and that under diarchy they had no real power, responsibility or initiative. It had been said that the Britisher was out to civilise and train the Oriental in self-government. The speaker urged that Madras should get substantial political reforms as her people were the oldest pupils. The debate had not concluded when the Council rose for the day.



Next day, the 19TH MARCH, the discussion of the constitutional issue on a token motion under the Governor's Household was resumed.

Mr. Krishna Nair characterised the diarchy as an unsuccessful experiment and stressed the need for a forward step in Constitutional Reform, viz: the transfer of all subjects to the transferred half.

Dr. Muthulakshmy Ammal paid a tribute to the British for inculcating respect for law and order and for the maintenance of peace. She said that India's yearning for freedom was a natural and legitimate craving and her national consciousness was the result of contact with the freedom-loving nations of the world. It was time for the Indians to shoulder more responsibility. She appealed for the spirit of brotherhood and for the throwing open of the temples and schools to all classes without distinction and added that when unity was achieved no power on earth could stifle India's aspirations.

The representative of the depressed classes spoke on the value of the British connection and emphasised the need for the protection of minority interests.

The Hon. Mr. Marjoribanks, Revenue Member, replying, said that the Madras Government was a subordinate Government and as such it had no power to alter the constitution. Their duty was to work it in the best interests of the people. It was probable that at no distant date the Government would be called upon to report on many aspects of the diarchy, and when the time came the Government would communicate the weight of resentment given expression to in the House. He wanted the House not to imagine that any section of the Government was hostile to their claims.

Swami Venkatachellam Chetty, leader of the opposition, enumerated the defects of diarchy and urged the grant of provincial autonomy.

Mr. Srinivasan, depressed classes representative, declared that the removal of untouchability should be the first step towards Swaraj. He invited the Royal Commission on Reforms to visit the villages and devise means for the amelioration of the lot of millions of the masses.

The motion was put to the House and carried, 67 voting for and 26 against it. The Ministers remained neutral.

#### Other Demands.

The reduction of the number of Executive Councillors to two was urged by the opposition members this afternoon on the motion for a token cut in the allotment for the Executive Council under the head "Secretary." The cut was effected, 51 voting for and 51 against.

The Council passed the demands under the heads "Legislative Bodies" and "Provinces" of Rs. 2,70,000 and Rs. 5,91,000, respectively. The token motion calling for a change in the hours of the sitting of the Council was negatived. Attention was drawn to further Indianisation in the Secretariat and effecting retrenchment by the Swarajists members on the motion for a nominal cut in the demand for the Chief Secretariat.

A "Justice" party member brought forward a cut motion to raise the question of allotting seats for ex-Ministers in the front opposition benches. The President ruled it out of order at that stage, stating that one of the party leaders had informed him of his intention to raise the question on the floor of the House and that he (the President) would fix a day convenient to the member concerned. The Council then adjourned.

#### Demand for Ministers' Salaries.

The demand for Ministers' salaries was taken up on the 21ST MARCH. Mr. R. Muniswami Naidu, of the Justice Party, moved a token cut to express no confidence in the Ministry.

Swami Venkatachellam Chetty, leader of the Congress party, explaining that his party would not vote on the question, said that they would always be ready to use their vote against the Ministry when they were satisfied that such a course would achieve the objective of the Congress, namely, preventing any Ministry under Dyarchy.

Dewan Bahadur Krishnan Nair (Justice) and the party in power was drawn from a minority and the Ministers did not have the confidence of the people.

Dr. Subbarayan, Chief Minister, replying, said that he accepted office because he felt it his duty to undertake the responsibility of constitutional government of the province. So long as he had the confidence of the House through the neutrality of his friends opposite (Swarajist benches) he had the right to be in the ministerial office. He assured the House that he would not tour at the expense of the State during six months before the elections. He added that the token cut on the Excise demand was one of no confidence in the policy of the previous Ministry than on the policy of the present Ministers.

Members of the Independent Party emphasised that their party programme was one acceptable to the Swarajists and the Justice Party. To-day the Swarajist policy was under-

going a welcome change from boycott to honourable co-operation and the Justice Party had no reason to look down upon such a change.

Mr. C. E. Wood, Madras Chamber of Commerce, desired to know if the token cut was a minor matter intended to draw attention to certain policies. He meant that the Ministers should resign if the latter was the idea, but he strongly deprecated the attempt to ensure the Ministry at so early a stage in its life.

By 55 votes to 15 the Council negatived the motion of no confidence, 16 members remaining neutral of whom 11 were of the Congress Party.

The Council also voted down another Justice Party motion for a substantial reduction in the demand under the head "Ministers." The whole demand of Rs. 4,32,000 was then put to the House and carried without a division.

The practice of appointing temporary judges to the Bench of the Madras High Court was condemned by several members who spoke on a Swarajist motion for a reduction in the allotment under the head of "administration of justice".

The cut was effected, 56 voting for and 30 against. The Council adjourned.

#### Madras Police Budget.

On the 23RD MARCH the Government sustained a defeat on a Swarajist motion for a reduction by Rs. 5 lakhs of the allotment of Rs. 151,86 lakhs under the head "Police." Opposition speakers urged the need for retrenchment and drastic Indianisation of the Police Department.

Sir Ramaswami Iyer, replying, stated that during the last three years a reduction of Rs. 13 lakhs had been effected in expenditure under the "Police Department," and he would do all in his power to further Indianisation. The motion was put and carried by 46 votes to 44. The whole demand was next put and agreed to, subject to the above cut, by 55 votes to 38.

#### Anti-Drink Propaganda in Madras.

On the 25TH MARCH the need for rescinding the Government order prohibiting officials of the Public Health Department from doing any propaganda work against the drink evil was emphasised by several speakers in the debate on a motion to reduce by a token cut the allotment under the head "Public Health."

Dr. Muthulakshmi Ammal said that Public Health officials should be allowed to carry out anti-drink propaganda as part of their duties.

Swami Venkataswalam Chetty, leader of the Opposition, condemned the present prohibitory order and called on the Health Minister to make the position of the Ministry clear. Members of the Justice Party also supported the motion.

The Minister, replying, said that he was glad that there was unanimity of opinion on this question. What surprised him was that even members below the gangway (Justice party) should have changed their views in the matter. Those members were showing a change of heart in various other matters and it was all to the good. The Government had decided to remove the restriction and an order to this effect would be issued shortly.

In view of the Government's decision the motion was withdrawn and the grant passed.

The voting of the Budget demands concluded on this day. It is noteworthy that during the ten days' voting only one substantial cut was effected, that of Rs. 5 lakhs in the police grant, all other cuts being token ones. The Council then adjourned.

#### Debate Over the Supply of Khadi.

On the 25TH MARCH, after question time, Mr. B. S. Mallayya, Swarajist, moved for an adjournment of the House to consider a matter of urgent public importance, namely, reconstruction and remodelling of the Madras General Hospital.

Sir C. P. Ramaswami Iyer, the leader of the House, pointed out that the motion could not be in order as it sought to revive discussion on a matter already discussed. He added that the matter involved was not of recent occurrence.

The President said that there was a precedent during the time of Mr. Swamikannu Pillai.

Sir C. P. Ramaswami Iyer questioned that ruling with due respect to the former President.

Swami Venkataswalam Chetty, the leader of the opposition, observed that the question of remodelling the hospital was dealt with in the budget and it was proper that discussion should be raised on that provision over adjustment motion.

The president finally ruled that the motion was in order.

A strong plea in favour of supplying Khadi for uniforms and other supplies was put in by Swarajist speakers in the debate over a token cut in the supplementary demand of

Rs. 75,000 for stationary and printing (transferred). Dr. Subbarayan, Chief Minister, reiterated his faith in handspinning and weaving industry as a welcome subsidiary occupation to India's millions and said that he could not do anything in the matter as cloths coming under the demand were made in jails with Indian mill yarn. Several members stressed the economic value of Khadder to the vast rural population in these days of

Replying to the debate Mr. T. E. Moir, Finance Member, made it clear that they had no prejudice against hand-spun yarn and hand-woven clothes. Possibilities of encouraging such cloth would be explored if quality was found to be the same as that produced in jails. Handspinning was introduced even in jails in order to help the convict to earn a honest livelihood after their release.

The Motion was by leave withdrawn and the supplementary grant was agreed to. The Council also voted the supplementary demand of Rs. 13,000 for Ministers' travelling allowances.

#### Madras University Act Amendment Bill.

On the 29TH MARCH, Mr. S. Satyamurthi, member for the University, moved for permission to introduce a Bill to amend the Madras University act, 1923. The amending bill proposed the number to be elected by registered graduates to the Senate to be raised from 30 to 40 and the repeal of the principle of proportionate representation so as to allow normal voting to be the rule. It provides for the abolition of the council of affiliated colleges and doing away with the representation of District Boards on the Senate.

Before Mr. Satyamurthi rose, Mr. M. Krishnan Nair "Justice" moved for the postponement of the Bill on the ground of want of time to study provisions. Another "Justice" member characterised the amending Bill as a piece of mischievous and vindictive legislation.

Dr. Subbarayan, Education Minister, said that he felt that an amendment of the Madras University Act was urgently called for, but he did not agree with all the provisions of the amending Bill. He left that question of postponement entirely in the hands of the House.

Several Swarajists protested against the motion for postponement and said that it was an attempt to strangle the Bill. The motion for postponement was then put and negatived.

On the 30TH MARCH a Swarajist motion for the adjournment of the House to discuss the question of the acquisition of a farm belonging to the Andhra Ayurvedic Pharmacy at Avadi for the purposes of housing the Malaya Emigration Depot was withdrawn on an assurance being given by the Revenue Member that the Madras Government would withdraw the acquisition proceedings.

Introducing his Bill to amend the Madras University Act of 1923. Mr. Satyamurthi, member for the University, repudiated the suggestion that the Bill was the result of a conspiracy between himself and the Chief Minister. It was not a Government Bill masquerading under the name of a private Bill. It was not his intention to Brahminise the Senate. The amending Bill sought to expunge the elements of conflict.

While Mr. Satyamurthi was speaking Sir A. P. Patro, ex-Education Minister, referring to the Bill, exclaimed "such trash."

Mr. Satyamurthi sought the protection of the Chair and the Deputy President ruled that the word was not in order, upon which the ex-Minister withdrew the offending remark.

Dewan Bahadur Krishnan Nair, Justice Party, opposed the reading of the Bill on the ground that its provisions were not calculated to further communal justice.

Several Swarajists and Independent members gave their unstinted support to the Bill.

Dr. Subbarayan, Chief Minister, denied having had to do anything with the drafting of the Bill. He said that communal justice ought to be the watchword of the Council. The system of proportionate representation should be the rule and the reduction of gradual representation on the Senate was undesirable. He proposed to introduce the amending Bill in August, in which some of the desirable amendments of the present Bill might be embodied.

The debate had not concluded when the Council rose for the day to meet on the next day, the 31st March when, after some discussion of the University Bill, the Council prorogued.

# The U. P. Legislative Council.

The Third Reformed United Provinces Legislative Council met at Lucknow on the 10TH JANUARY 1927. Out of a total of 123 members as many as 118 took the oath of allegiance to the Crown. The remaining ten members were absent.

The only item of business on this day's agenda was the election of the Council President. Rai Bahadur Lala Sitaram who held this office in the previous Council was unanimously re-elected and after he had been congratulated on his re-election by a number of speakers belonging to every party, the Council adjourned till the 24th January.

## Discussion on Prohibition Resolution.

On the 25TH JANUARY there was a prolonged debate with considerable excitement on the resolution moved in the Council by a Swarajist member urging on the Government to speedily bring about a total prohibition of liquor and adopt local option.

An amendment was moved to this resolution recommending to the Government to bring about total abstinence (instead of prohibition) as speedily as possible and circulate the Bill embodying the principle of local option for public opinion. The heat of the debate was due to the fact that whereas the mover of the resolution and his supporters, mostly Swarajists and Nationalists, would have nothing short of prohibition, the mover of the amendment, his supporters and officials expressed the view that prohibition was not within the scope of practical politics. People could not be forced to give up liquor; but they could be educated to dread its use. The Government were doing their best to promote the cause of temperance. They had restricted hours of sale, reduced the number of shops by 43 per cent during the last five years and had extended the sealed bottle system. Regarding consumption of country liquor, the Excise Minister pointed out that it had fallen down by nearly 60 per cent since 1920. Government's Excise revenue had fallen down by nearly 50 lakhs in the course of these few years; but the Government only felt gratified at this fall of revenue since it clearly showed that their Excise policy was bearing its fruits. There could be no better proof of sincerity of the Government's profession than that total abstinence was their goal.

Mr. C. Y. Chintamani questioned the Government if they had any means short of prohibition the adoption of which could bring total abstinence. To this the official reply was that the Government hoped that the measures they had adopted since 1920, in other words, prohibitive excise duty, reduction in the number of shops, restriction in the hours of sale, were likely to lead to total abstinence.

After a prolonged discussion, the Council carried the amendment by 57 votes against 29. Thus the Swarajist resolution was defeated.

## Abolition of Commissioner's Posts.

On the 27TH JANUARY the Council by a majority passed a resolution recommending abolition of five out of ten commissionerships in the United Provinces. Supporters of the resolution including Mr. Chintamani argued that tax-payers should not pay for the bad selection of District Officers, which was the main ground stated for the appointment of Commissioners in the Province.

Sir Samuel O'Donnell pointed out that the appointments were necessary for efficient control over district administration which in the recent years had grown both in difficulty and complexity. Further, the Government of India had definitely ruled out the question of abolition of all Commissionerships or of exact half. The Government was, however, prepared to consider if any particular post could be reduced as it was hoped that the recent tenancy legislation would reduce substantially the number of revenue appeals.

## Government Contribution to the Benares Hindu University.

The Council then adopted without division a recommendation to contribute to the Benares Hindu University a substantial grant-in-aid. The Education Secretary pointed out that it was an All-India institution.

## Rural Development Scheme.

On the 28TH JANUARY, after the election of the representatives to three committees, Mr. Govind Ballabh Pant, Swarajist, moved the first resolution. It was a recommendation to the Government to prepare a scheme for promoting primary and vocational

education, sanitation, agriculture, cottage industries, co-operation, means of communication and medical relief in the rural areas and to allot a definite amount annually for the above purposes for the next three years and to grant therefrom substantial additional aid to District Boards.

The debate took an interesting turn when member after member from the Government benches enlightened the Council with the activities of their departments. Nearly all heads of departments in the Transferred side spoke on the resolution.

Sir Sam O'Donnell, the Finance Member, observed that their revenues increased very slowly. They were not suffering from lack of programme. He emphasised that co-ordination was necessary among the various nation-building departments. They were doing everything they could within their limited means. Unless and until the local bodies increased their resources, the Government would be able to do little.

After a full day's discussion the original resolution was carried. The Government did not challenge a division.

#### Sir C. Walsh's Attack on the Judiciary.

On the 39TH JANUARY there was an unexpected development during question time in the Council. Mr. C. Y. Chintamani drew the attention of the Government to the following sentence in the preface written by Sir Cecil Walsh, Acting Chief Justice of the High Court to a law book published from Allahabad :—"I have been shocked by the number of cases of deliberate raciality both in the provincial judicial service and at the bar." Mr. Chintamani wanted to know if the Government had taken any steps to protect the officers of the service and members of the bar from that vilification.

The Nawab of Chhattari, the Home Member, replied that the quotation should be read in its context. It was followed by the following sentence : "There are black sheep in every fold and there are rogues in every profession. They do not represent the bulk nor does their conduct discredit any one but themselves." That, the Home Member pointed out, made it clear that Sir Cecil's attack was not of a general nature. The preface to the book was not written in his official capacity. The Government, therefore, saw no necessity to take any action.

There was a volley of supplementary questions. Several members wanted to know if the Government would ask Sir Cecil to expunge the sentence from the next edition of the book and, failing that, if the Government would forward to-day's questions and answers to Sir Cecil.

The Nawab of Chhattari, in reply, said that the Government was not agreeable to adopt either procedure, because in their opinion, there was no occasion for the Government to take any notice of the matter.

#### An Adjournment Motion.

This reply was followed by a fresh crop of supplementary questions with the result that eventually Mr. Chintamani gave notice of a motion for adjournment of the House to discuss the unsatisfactory nature of the Government's reply.

Lala Sitaram ruled the motion in order and it was taken up for discussion at 4 in the afternoon.

In moving the adjournment, Mr. Chintamani remarked that the Home member's replies were deliberately provocative. What harm was there in Government agreeing to ask the author to expunge the sentence or at the worse to send the day's proceedings to Sir Cecil Walsh. Was he to understand that Government shared Sir Cecil's views in regard to the provincial judicial service. Deliberate raciality was a serious charge against Government servants and those officers certainly looked up to Government to protect them from such ungenerous attacks. There were 264 officers in the provincial judicial service and during the last six years not more than six officers were compulsorily made to resign on suspicion of having sold justice. Was that number shocking or did the author imply that there were more such corrupt men still in service. The sentence was a deliberate affront to the entire service.

Mr. Chintamani was supported by several Swarajist and Nationalist members who wanted to know if the Government would have been equally impassive had such an attack been made against the Indian Civil Service.

#### Opposition to the Motion.

Messrs. Habibullah, Masudul Hasan and some other landholder members opposed the motion for adjournment and said that the issue before the House was not the conduct of Sir Cecil Walsh in writing the preface, but the attitude of the Home member in replying to certain questions. There was nothing to make a grievance of the Home member's replies and there was not much to find fault with Sir Cecil either. Sir Cecil's language

might have been strong, but he had condemned the black sheep alone and not the judicial service. It was the duty of the Government and also of the Council to protect and shield good, honest and upright men and not all and sundry including black sheep.

Kunwar Jagdish Prasad, the Education Secretary, said that the inner import of the sentences could not be judged without reference to the context. In another passage of the same preface, Sir Cecil had praised the Indian system of promotion of judicial officers from the lowest rank to the highest. That clearly indicated that he did not hold an ugly view of the entire subordinate judicial service. Had he shared that view, he would never advocate the system of promotion of such officers to highest offices of responsibility. Members who were loudly clamouring against the Government to-day for not shielding their subordinate officers had, on previous occasions, themselves stated in Council that corruption was rampant among the subordinate officials of the Government. The Education Secretary quoted the speeches of several members in previous debates to support this statement. The Council then adjourned.

### Budget Estimates for 1927-28.

On the 4TH MARCH after disposal of some minor business, the Hon'ble Sir Sam O'Donnell, the Finance Member, presented the provincial budget for the year 1927-28.

According to the Finance Member's statement revenue and receipts inclusive of the opening balance in the budget year are expected to amount to Rs. 1,538 lakhs, whilst disbursements are estimated at Rs. 1,557 lakhs. There is, thus, after allowing for balance of Rs. 18 lakhs in famine insurance funds, a deficit of Rs. 39 lakhs. This estimate is of course independent of any remissions which the Government of India may make in provincial contribution. As, however, the Government of India has proposed to make a recurring remission of Rs. 99 lakhs and non-recurring remission of Rs. 53 lakhs, there is every hope that the deficit of Rs. 39 lakhs will not only be wiped out altogether, but there will be a closing balance of Rs. 113 lakhs. If, however, the Assembly turns down the proposal for remission, this Government would have to borrow a sum sufficient to cover deficit and to provide the closing balance.

### Revised Estimates for 1926-27.

The budget of 1926-27 as originally presented to the Council provided for revenue amounting to Rs. 1,390 lakhs and receipts under debt heads amounting to Rs. 206 lakhs making with the opening balance as then estimated total receipts amounting to Rs. 1,578 lakhs. In expenditure side there was provision for expenditure amounting to Rs. 1,388 lakhs under revenue heads and Rs. 256 lakhs. The revised figures of 1926-27, however, differ materially from budget figures. In the first place, the opening balance of 1926-27 is 26 and three-fourth lakhs less than was anticipated when the budget for 1926-27 was prepared. Secondly, receipts during 1926-27 are better by Rs. 5 and half lakhs than the estimate and thirdly, disbursements during 1926-27 are 28 and half lakhs more than the estimates and in consequence the closing balance of 1926-27 originally estimated at Rs. 65 and half lakhs has been reduced to Rs. 15 and three-fourth lakhs.

The revenue for the year 1927-28 is estimated at Rs. 1,391 lakhs and receipts under debt heads at Rs. 220 and three-fourth lakhs. Together with the opening balance of Rs. 15 and three-fourth lakhs and total revenue and receipts for 1927-28 amount to nearly Rs. 1,538 lakhs. On expenditure side, provision has been made for expenditure of Rs. 1,394 and half lakhs under revenue heads and Rs. 263 lakhs under debt heads. In other words, the budget for 1927-28 as presented to-day is a deficit budget; but in case the Government of India's proposal for remission of provincial contribution is given effect to there will not only be no deficit but a substantial closing balance and the Government will present in April supplementary estimates aggregating Rs. 51 and half lakhs, of which 10 lakhs will be on account of reserved departments and Rs. 41 and half lakhs for transferred departments.

### Provincial Debt Charges.

The Finance Member next made a detailed reference to the debt position of the province. Provincial debt charges were now nearly one-eighth of the total provincial expenditure. At the Reforms the Government took over two large debts; first, the old provincial loan account which amounted to 296 and two-third lakhs and the second the pre-reform irrigation debt of Rs. 1,219 and half lakhs. The latter debt represented capital cost of all canal systems in the province and is a type usually described as permanent, that is to say, repayable entirely at the option of the borrower. The province thus took over with the reforms a total debt of Rs. 1,516 lakhs. Up to the year 1927-28

inclusive it had incurred further debt to the extent of Rs. 1,300 lakhs making a total of Rs. 2,715 lakhs. The total interest and other charges on these debts in 1937-38 are Rs. 165 lakhs.

In closing his statement Sir Sam whose term of office will conclude in the budget year, made some observations by way of retrospect and forecast. During the last 4 years, he said, the financial position of the province was never free from anxiety. Nevertheless the period had not been one of stagnation. Since 1923 enrolment in primary schools had risen by about 20 per cent. In vernacular middle schools from 45,000 to 55,000, in secondary English schools from 53,000 to 62,000, in intermediate Colleges from 2,100 to 2,400 whilst the number of post-intermediate students had increased from 2,300 to 2,800. There were now 98 technical institutions under Industries Department as against 37 in 1923 and the number of students was higher by nearly 88 per cent. In the Agricultural Department notable progress had been made in production and distribution of seeds, demonstration processes and extension of private farms. A health scheme had been introduced in 17 districts. Co-operative movements had received special attention of late and a number of measures for improvement would shortly be carried out. Provincial roads were being reconstituted on modern lines and liberal grants had been made to the local bodies for improvement of sanitation and water-works.

### Voting on Budget Demands.

#### Ministers' Salaries Voted.

On the 11TH MARCH the first of the budget demands, the one under the head "General Administration" amounting to Rs. 1,07,89,448, was presented in the Council. As notice had been given of as many as nine motions for reduction of Ministers' salaries, there was a large attendance of members and the visitors' gallery was packed. Debate on the motion for omission of the demand in respect of Ministers' salaries lacked interest and as was observed in the course of the ruling from the chair it contained an element of unreason.

Pandit Govind Ballabh PANT, Swarajist leader and mover, made it abundantly clear that his motion had no direct concern with the personality or policy of the present Ministers. His protest was against the present constitutional defects. He wanted to end dyarchy in this province. He sincerely believed that his country would be served best by getting rid of all Ministers. Mr. Pant was supported by several Swarajists.

Rai Rajeswari BALI, Education Minister, in reply, expressed his gratitude that Mr. Pant's attack was constitutional and not personal. To have Ministers or not to have them had become a historical problem in Indian politics. It had been discussed threadbare and was responsible for the origin of different political parties. The whole country was divided on it. It would serve no useful purpose to reiterate the arguments either in favour of or against dyarchy in this Council. He for one would be glad to see the end of dyarchy. He and his colleagues as long as three years ago had expressed the same view in their minute before the Muddiman Committee. Indian opinion was all in favour of provincial autonomy. The reason that he and his colleagues continued to keep dyarchy living was that they did not believe in losing half the loaf in search of the whole one. Whatever defects dyarchy might have, it had to be admitted that since the reforms came into being there had been considerable advance in the departments under the control of the Ministers in this province at least. The Council had concrete proofs before them in the shape of reorganised universities, popularised district boards and in the progress made by the Departments of Industries and Agriculture. He would like to know what Bengal and Central Provinces had gained by getting rid of their Ministers. Not much apparently, since they had now retraced their steps and reconsidered their decision.

After some further debate the motion for omission of the provision for Ministers' salaries was lost without a division. The House then adjourned.

#### Reduction of Commissioners' Posts.

On the 12TH MARCH the Government sustained several defeats when the Council and concluded voting of the demand under the head "General Administration" amounting to Rs. 1,07,89,448, was presented in the Council. The biggest cut effected was in respect of provision for the Commissioners' establishment. Mr. G. B. Pant, Swarajist Leader, who proposed a reduction of Rs. 2 lakhs under this head, urged the abolition of all commissionerships or if that was not possible at least a considerable reduction in their number. The motion was opposed by two lawyers Mr. Chowdhury Nizamuddin and Mr. Masudul Hameed, on the ground that it

was impossible to do without the Commissioners who had a number of functions to perform in regard to rent and revenue suits, and also in regard to municipalities and district boards administration.

Sir Sam O'Donnell, in opposing the motion, pointed out that a considerable reduction in number would result in the jurisdiction of the remaining Commissioners becoming too large and too unwieldy. The motion for reduction was adopted by 42 votes against 30.

#### Secretarial Establishment.

Another substantial cut of Rs. 23,000 was also adopted by 50 votes against 43 on the motion of Mr. C. Y. Chintamani in respect of the item concerning Secretariat establishment. The mover and his supporters urged the abolition of appointments in the Department of the General Secretariat.

Along with Mr. Hafiz Hidayat Husain, Mr. Chintamani was also responsible for a token cut in respect of the Secretariat demand. This cut was effected in order to bring to the notice of the Government the desirability of having more Indians as Secretaries and Deputy Secretaries and also of the abolition of the post of the Chief Secretary.

#### Meeting Place of the Council.

Mr. Pant, Swarajist leader, moved for a nominal cut to express the desire of the House to have the Council meeting at Nainital. This motion was adopted without any serious opposition from any quarter. The total reduction effected by the Council in respect of the demand under the head "General Administration" amounts to Rs. 2,58,181. The rest of the demand was voted.

#### Discussion on Police Demand.

On the 14TH MARCH, the business before the Council was voting on Police demand. One of the passages to which objection was taken by the Council in the shape of a token motion for reduction expressed the grievance that the High Court seldom awarded the extreme penalty of law to persons found guilty of murder. In the course of the debate the Inspector-General said that he had no intention to attack the judiciary. He had only expressed his honest opinion. He admitted that the expression was unhappy and regretted having used it. Mr. Dodd expressed his regret for another passage in the annual report which ran as follows:—"And wild assertions of less responsible politicians regarding C. I. D. Factory of revolutionary crime was as baseless as they were stupid." Mr. Dodd denied that the passage had any bearing on the Council discussions. He was sorry that it was liable to be so interpreted. Both those token cuts were withdrawn by the respective movers at the suggestion of the President who hoped that in view of Mr. Dodd's replies, the matter should be allowed to drop.

#### Reduction of D. I. G's Posts.

A token cut was adopted in spite of the Government opposition with a view to reduce one of the four posts of Deputy Inspectors-General in the United Provinces. A motion for reduction of the C. I. D. demand by Rs. 25,000 was rejected by 48 votes to 35.

#### Protection to the Maharaja of Nabha.

Reference was then made supporting the motion for a token cut under the head C. I. D. by Thakur Manjit Singh that the Maharaja Sahab of Nabha, now a citizen of Lehra Dun, sent a petition to the district authorities of Dehra Dun that he was being subjected to a mysterious surveillance by certain unknown persons suspected to be the agents of his enemy, a well-known prince of the Punjab, it is said Patiala.

The Hon'ble the President:—Does the Hon'ble Member suggest who the persons shadowing His Highness actually are? Are you referring to Patiala?

Mr. Manjit Singh:—I only want to say that the persons are suspected to be the agents of his enemy. I cannot, however, say who they actually are. They may even be C. I. D. men of the Government for aught I know.

Thakur Manjit Singh then went in to say that the life and honour of His Highness, his wife, and children were in danger. He asked the district authorities to afford him necessary protection in his present condition of enforced helplessness but no action has so far been taken on the petition which has caused a sensation throughout the country. Thakur Manjit Singh said that it was the duty of the head of the Police Department in the province to make adequate and suitable provision for the protection of His and honour of His Highness. The House then adjourned.

On the 18TH MARCH discussion of the police demand in the budget for 1927-28 was resumed and concluded. The C. I. D. came in for a considerable amount of criticism



on a token motion for reduction. Several Swarajist members advised the Government to ask the C. I. D. to direct its attention to detection of crimes instead of wasting its energies on shadowing political workers and Swarajist members of the Council.

Pandit G. B. Pant, Swarajist leader, referred to the arrest of a number of Congressmen in connection with the Kakori conspiracy case and their subsequent release without trial. The Pandit wanted to know what steps the Government had taken against C. I. D. Officers who were responsible for these useless arrests. Another Swarajist member wanted to know what steps the C. I. D. had taken to approach persons who were said to be a menace to the life of the ex-Maharaja of Nabha and his family and about whom the Maharaja had made an application to the District Magistrate of Dehra Dun.

Mr. R. J. Dodd, Inspector-General of Police, opposing the motion, assured the members that nobody was being shadowed by the C. I. D. because of his political views or activities. He challenged the member to bring specific instances of such activity on the part of the C. I. D. to his notice. In regard to the ex-Maharaja of Nabha, there were no reasons to believe that there was any danger whatsoever to his life. The motion for reduction of C. I. D. demand was rejected by 43 votes to 39. All the motions for reduction of Police demand except two minor ones which were accepted by the Council were one after another rejected by the House by a large majority and most often without any division. There was an incident towards the close of to-day's meeting when there was a walk-out and subsequent walk-in by several members belonging to the Nationalist Party.

#### The Walk-out Episode.

Mr. C. Y. Chintamani, leader of the Nationalist Party, moved a token reduction and expressed his doubt if the province got 16 annas for every rupee spent on the Police Force. A curious characteristic of the U. P. Police he said was to refuse investigation in a large number of cases. In 1924 they refused investigation in 22,940 cases and in 1925 in 23,401 cases. The percentage of refusal was 20.6 and 20.2 respectively. The corresponding figures for 1924 was Madras 2.4, Bombay 1.8, Punjab 2.4, Burma 4.2, Behar 4.6 Assam 6 and C. P. 35.7. Again, in regard to recovery of stolen property U. P. had an average of 11.7 while All-India average was 14 in the year 1924.

Mr. Mukandilal, Deputy President, who was in the chair at this stage, remarked that the House has enough figures and it was time the speaker stated the facts. Mr. Chintamani replied he would only deal with the figures for once and leave the facts to other members and he proceeded to deal with further statistics. Mr. Mukandilal intervened again and remarked that the speaker had been quoting figures for the last 15 minutes and he would be allowed only 3 minutes to conclude his speech. There was a presidential ruling fixing the time limit of 15 minutes for every speech. Mr. Chintamani retorted that under no rules the President had any right to fix the time limit for this discussion.

The Deputy President again ruled that he would allow only 2 minutes more.

Mr. Chintamani said:—As a protest against this unauthorised ruling of yours, I shall stop my speech.

With these remarks Mr. Chintamani sat down and shortly afterwards left the Chamber followed by all Nationalist members. Later in the afternoon when Lala Sitaram, President, came back to the chair, the matter was brought to his notice. He regretted that his Deputy had misunderstood a ruling of his and had under a misapprehension stifled the debate. The Chair, however, must be given some privilege and indulgence and must receive hearty co-operation from members. He hoped the unhappy episode would now end. Mr. Chintamani and his followers thereupon returned to the House but took no part in the debate.

The Council then adjourned until the 22nd March.

#### Voting on Irrigation Demand.

After one week's respite the U. P. Council reassembled on the 22ND MARCH to vote the budget demands. Attendance was poor and debates lacked both heat and interest. Towards the close of the day's meeting, Mr. Mukandilal, Deputy President, who at that hour occupied the chair, made a reference to the episode of the Nationalists' exodus from the Council on Tuesday last as a protest against his (Deputy President's) ruling about Mr. Chintamani's speech and the time limit. Mr. Mukandilal made it clear that his ruling was based on a misunderstanding for which he was sorry and he assured the House that he had not the slightest intention to stifle debate when he reminded Mr. Chintamani of the time limit.

The demand under discussion on this day was under the head expenditure of irrigation works charged to revenue which amounted to Rs. 64,45,000. By 31 votes to 29 the

for substantial reduction of the demand by Rs. 1 lakh was adopted by the Council in respect of the item concerning establishment charges.

Discussion of the demand was yet in progress when the Council adjourned for the day.

#### Constitutional Issue Raised.

On the 28RD MARCH the Council concluded the discussion of the irrigation demand. Attendance of non-official members was poor, but there was some heat in to-day's debate, more particularly once when Mr. Chintamani raised a constitutional issue whether or not irrigation should be a transferred subject and placed under the control of the Minister of Agriculture in order to facilitate co-ordination of work.

Sir Sam O'Donnell, Finance Member, expressed the view that the Provincial Council was not the proper forum for the discussion of a large constitutional issue, namely distribution of various subjects between the reserved and transferred sides of the Government. The Indian constitution was neither made nor amended by the Local Government but by Parliament. The best place for such discussions was the Assembly in India and the House of Commons elsewhere. Sir Sam's statement led Pandit N. Guria to raise a point of order.

Rai Bahadur Lala Sitaram, President, doubted whether a constitutional matter of grave importance could be raised in connection with the budget demand in such a hasty manner and he voted upon without sufficient discussion. It was a matter of common knowledge that India as a whole demanded provincial autonomy, in other words, transfer of all departments to the control of Ministers. He would not say that a grave constitutional matter could not be discussed at all in connection with a particular demand; but such discussion must be particularly restricted or else it would give rise to side-tracking and constitutional discussion would recur with intolerable frequency in connection with each and every budget demand.

Mr. Chintamani's motion for a token reduction was carried without division.

#### Administration of Jails.

On the 24TH MARCH the Jail demand came up for discussion. The Nawab of Chhattari, Home Member, in moving for a grant of Rs. 24,18,040 under the head "Jails and Convict settlements" briefly reviewed the administration of the department during the current year. At the outset, he admitted that constructive criticisms in the Council on various occasions were responsible for a number of reforms in jail administration. He was, therefore, grateful to non-official members and welcomed their attacks. Revision of the Jail Manual which had been undertaken during the tenure of office of the Maharaja of Mahomedabad was very nearly complete and would soon be published. Sundays were now complete holidays in jails except for essential services and ten days holidays were given for important religious festivals during the year. In 1928 arrangements were made to purchase grain on wholesale basis with the result that the quality of grain had greatly improved. Oil mills of improved type had not been supplied and prisoners were not made to work for more than 14 days at a stretch on oil mills unless they volunteered to do so. Rules had been framed to provide special diet for prisoners to whom ordinary diet was found unsuitable. Arrangements had been made for better segregation of female prisoners in selected jails and for increased number of female warders. The Government had also decided to open vocational school in jails to impart training in carpentry, blacksmithy, weaving and dyeing. There was also a proposal to build a new Central Jail at Meerut. Health of prison population was excellent, mortality rate being almost the lowest in India.

Nearly 64 per cent of prisoners had gained in weight in 1928 whereas only about 8 per cent had lost in weight. The Government had a scheme for electrifying Agra and Naini Jail.

Nearly hundred motions for reduction of jail demand had been tabled, but most of the reductions proposed were of a token nature and were not pressed. There was a prolonged debate on the question of transportation of Bhamtas (criminal tribe of Bohilband district) to Andamans. A number of non-official members protested against the present policy of transportation of Bhamtas, but in the end motions for omission of the item concerning transfer of Bhamtas to Andamans was negatived by 48 votes to 20.

#### Reforming Criminal Tribes.

There was another interesting debate on the motion for token reduction where the issue involved was that the task of reforming criminal tribes mostly composed of depressed class Hindus should be entrusted to Arya Samaj and other Hindu organisations and not to the Salvation Army. The motion was adopted without division.

## Discussion on Jail Demand.

On the 25TH MARCH the Council concluded discussion of the Jail demand and also voted the demand under the head Public Works and Civil Works. Two token reductions were adopted to-day by the Council in respect of the Jail demand. On one motion the issue involved was the appointment of a jail commission to enquire into the complaints regarding diet and dress in prisons. The motion was adopted without division. Mr. Zahar Ahmad, proposer of the other token reduction, wanted the Government to issue telegraphic instructions to all jails in the province to the effect that Muslim prisoners observing fast should not be given hard labour during the remaining twelve days of the Ramzan. The Government reply was sympathetic but the Government refused to issue telegraphic instructions. The reduction motion was adopted by 58 votes against 25.

## Public Works Demand.

The Public Works demand was voted in its entirety. The Nationalist members moved for reduction of the provision in respect of additions and alterations to the three Government houses at Lucknow, Allahabad and Nainital, but their reduction motion was negatived by a large majority of votes and the demand voted *in toto*. In presenting the demand for Public Works, Nawab Yusuf, Minister in charge, stated that in view of the complexity and urgency of the problem of communications and transport in the province, the local Government had decided to continue their policy of road reconstruction on a wide scale at a total cost of about one crore and a half.

## Education Minister's Speech.

On the 26TH MARCH Sir Samuel O'Donnell, Finance Member, informed the house that the current meeting of the Council would terminate with the disposal of supplementary estimates on the 3rd April and that the Council would meet next at Nainital.

Sir Samuel was unable to give the exact date or duration of the Nainital meeting. The principal business before the Council to-day was voting of the education demand amounting to Rs. 17,3,04,464. Notice had been given of over 200 motions for token and substantive reductions against the demand; but of them barely 40 were discussed to-day, the consideration of the rest being postponed till Monday. Hitherto not a single reduction motion was accepted by the House.

Rai Rajeswar Ball, Minister of Education, in presenting the demand reviewed the progress of education in the province during the current year. At the outset he regretted that this year's demand under education did not compare very favourably with that of the previous year. The budget was framed in January when the Government was face to face with a huge deficit. Allotment for new items of expenditure in the budget for all Transferred departments amounted in the aggregate to five lakhs of which half a lakh was earmarked for the Education department. Half a lakh was a disappointing figure, but if the remission of contribution promised by the Government of India materialised Rs. 20 lakhs more would be allotted to the Education department on 2nd April when supplementary estimates would be presented. Figures of educational expenditure in the U. P. since the reforms presented interesting reading. In 1920 it stood at one crore and nine lakhs. In 1921 it went up to one crore and 54 lakhs. In 1922 it dropped to one crore 52 lakhs. In 1923 it went up again to one crore 52 lakhs and one crore 54 lakhs in 1924. Besides these amounts spent from the provincial exchequer there were also private endowments and donations aggregating over one crore. These figures, the Minister pointed out, showed that since the reforms there had been some expansion in regard to education at least.

## University Education.

Referring to the criticism that there was growing expenditure on University education to the detriment of primary education, the Minister agreed that primary education was of first importance, but at the same time it could not be ignored that University education played a great part in the development of the nation. It was said that Universities in the U. P. had failed to grow into centres of creative thought. To such critics the Minister would point out the recent selection of Dr. M. N. Shaha of Allahabad as a Fellow of the Royal Society. An important event of the current year, the Minister proceeded, was the creation of the Agra University. This 5th University in the province was bound to open new uppers of educational activity. Mr. K. P. Kishin, Deputy Director of Education, has been appointed special officer to bring the University into existence so that the first examinations could be held in 1925. Referring to the policy of high school and intermediate education inaugurated in 1921, the Minister said that it had come in for severe criticism, but the Government was decided upon giving it a fair trial before

making any radical alterations. In his opinion all Ministers had to build up traditions of administration in Transferred departments and they should work against rapid changes of policy from one Minister by his successor and against executive individualism. Regarding the need of imparting physical training to the students, the Government were tackling the question in two ways, one of which was the introduction of a new scheme of medical inspection as an experimental measure in cities.

#### Primary Education.

Coming to primary education, the Minister said that it had been made compulsory in altogether 25 municipalities. The committee which had been appointed to enquire into the progress of primary education among Muslims and other backward communities had lately submitted its report which was under the consideration of the Government. In concluding his speech, the Minister referred to the Marris College of Hindustani music which has made good progress since it was started last year. The college filled all obvious blank in the present education system. The idea of a picture gallery at Lucknow still remained to be translated into action.

#### Voting of Education Demand.

On the 26TH MARCH the education demand of Rs. 1,79,04,464, less Rs. 1 for which amount a reduction motion was adopted was voted by the Council. The issues involved in the token reduction was the question of grant to Benares and Aligarh universities from the provincial exchequer. Non-official opinion was solidly in favour of substantial grant to those two institutions but Sir Samuel O'Donnell on behalf of the Government stated that the two all-India universities were primarily the concern of the Government of India and not of the provincial Government. This Government could provide for grants to them only after it had discharged its financial responsibilities to all provincial subjects. After a prolonged debate the token motion was adopted without division.

#### A Heated Debate.

There was a heated debate on Pandit G. B. Pant's motion for substantial reduction in the provision for Roorkhee College of Engineering. Among other things, Pandit Pant urged reduction in and Indianisation of the personnel of the college staff.

Mr. C. Y. Chintamani, ex-Minister, supported the motion. This support was the immediate cause of heat in the debate.

Kunwar Jagdish Prasad, Education Secretary, quoted some facts and figures and said that Mr. Chintamani while in office did little either to reduce the staff or to indianise it. Once out of office he was criticising his successor for not doing what he himself when in power never cared to do. The Education Secretary in his turn was subjected to a violent attack by Pandit Iqbal Narayan Gurtu for having taken up that particular line of argument. Mr. Gurtu blamed the Education Secretary of foul play, lack of discipline and judgment for his attack on his former chief, Mr. Chintamani, who could not possibly take any further part in the debate and was therefore debarred from the right of reply. Mr. Gurtu in connection wanted to know whether the Ministers after they vacated the office should not be immune from criticisms of the Secretaries who had worked under them.

Raj Rajewar Ball, Minister of Education, was sorry that owing to some misunderstanding between Mr. Chintamani and the Education Secretary some unpleasantness had been created. Heat in the debate was not due to any difference of opinion in regard to the question of policy, but solely due to regrettable personal misunderstanding. He earnestly hoped that the personal affair would be allowed to rest where it was and not pursued further.

The motion was rejected by 53 votes against 42.

#### European Education.

Pandit G. B. Pant also criticised the grant to European schools. He said that on the basis of population Government spent nearly 100 times more on European education than on the education of the people of the land.

Mr. A. H. Mackenzie pointed out that there was not a single European school maintained solely by the Government. All European schools in the province were aided institutions and the basis of aid was the same as in the case of Indian schools. The amount of grant was equal to and in the case of European schools was less than the amount raised from private sources. The endeavour of the European community as a whole on behalf of education was great. There were generous donations and also voluntary work from missionaries. If the proportionate expenditure per head was great it was because of the smallness in the number of scholars in European schools.

The Government never showed any partiality to European schools in the matter of grants-in-aid. The motion was not voted upon when the guillotine was applied and the Council adjourned.

#### Discussion on Land Revenue.

On the 29TH MARCH the Council reassembled to discuss the Land Revenue demand amounting to Rs. 88,33,718. The agenda contained nearly a hundred motions for reduction of the demand but only seven of them could be disposed of to-day. The House divided three times in the course of the day and on every occasion the Government sustained defeat. The worst defeat was in connection with the Swarajist motion for omission of the item of Rs. 9,28,743 concerning survey and settlement. There was a prolonged and animated debate on the motion, the issue being the withdrawal by the Government of the Land Revenue Bill during its second reading at Minaltal. The Government policy was severely criticised by a large number of non-official members. The motion for omission of the item was eventually adopted by 64 votes to 31.

#### All Demands Agreed To.

On the 30TH MARCH the Council concluded the voting on the budget demands. In the course of twelve days that were allotted for consideration of budget provision, the Council managed to discuss demands under seven out of thirty-two major heads. Of them, five, namely, general administration, land revenue, irrigation, police and jails were in the reserved group and only two, namely, education and public works, in the transferred group of subjects. All the undiscussed demands had not however an easy passage. When after the guillotine had been applied at 5 p.m. to-day they were put from the chair there were vigorous attempts to vote some of them out altogether. The first item that the Council would not readily agree to vote amounted to Rs. 18,98,000 and represented charges against the famine insurance fund. During the general discussion on the budget several members had protested against exploitation of the famine insurance fund for payment of irrigation interests. Apparently to record that protest very apathetically the Nationalist and Swarajist members shouted out "No" when the question was put in regard to this demand. The House divided on the question and the demand was eventually granted by 47 against 30 votes. The next attempt at total refusal was directed against provision for public works and other outlay not charged to revenue. The grievance of the Opposition as voiced during the general discussion was that Government should not utilise borrowed money either for construction of police buildings or for reconstruction of roads. The House divided when the question was put and voted the demand by 44 votes against 31. Mr. B. G. Pant, Swarajist leader, challenged the provision for expenditure in England and once again the House divided. The demand was voted by 42 against 33. There was yet another division when the demand under the head of account interest on debt was put before the House. In this instance, too, the Council agreed to grant provision, but voting was slightly different, figures being 43 for and 33 against. The Council then adjourned to meet again on the 2nd April.

#### Voting on Supplementary Grants.

On the 2ND APRIL the Council assembled to consider the demands for supplementary grants for the year 1937-38. The budget as originally presented provided for a deficit of nearly Rs. 40 lakhs but because of the remission of the provincial contribution not only has the deficit been completely wiped off but there is in fact a surplus of over one crore and twelve lakhs. Partially to utilise that surplus the Government presented to-day supplementary estimates aggregating nearly Rs. 52 lakhs of which nearly 48 lakhs are for transferred services and about Rs. 10 lakhs for reserved services. On the transferred section, education alone claims nearly Rs. 19 lakhs, agriculture about Rs. 7 lakhs, and industries a little over Rs. 2 lakhs. Notice had been received for as many as 515 motions to omit or reduce the amounts of demands for supplementary grants.

#### The Finance Member's Statement.

Immediately after question time Sir Samuel O'Donnell, Finance Member and Leader of the House, made the following statement:

"We had hoped that supplementary estimates would be disposed of in a single day. Judging from our past experience that was a reasonable anticipation. Yesterday we received motions for reduction and they total over five hundred. It is clear, therefore, that our anticipations were mistaken. Further we have reason to believe that it will be very inconvenient to many members to return after the Id holidays. Therefore, it has been decided that any supplementary estimates that we shall not finish to-day will stand over till the next meeting of the council which will be held in the month of June in Minaltal.

## H. E. The Governor's Message.

The President next read out the following message from H. E. Sir William Marris to the Legislative Council :—

"The Governor wishes to congratulate the members of the Legislative Council upon the termination of the present budget session for the consideration which it has given to the public business of the province during a session which, owing to the inconvenient occurrence of holidays, has involved greater demands than usual upon the time of the members. He is indebted to the Council for having provided the funds necessary to carry on the administration for the ensuing year and to place the provincial finances upon a satisfactory basis. For reasons stated by the Hon'ble the Finance Member it has been decided that any supplementary estimates which are not disposed of to-day shall stand over till the next meeting of the Council which it is the Governor's intention to summon in Nainital in June. The Governor hopes that by the next budget session it may be possible for the Council to meet in comparative comfort in the new Council Chamber. The Governor declares that the Legislative Council is hereby prorogued with effect from the termination of this day's session until such further date as may in due course be announced".

## Deputy-President's Salary.

Not much business could be transacted in to-day's meeting of the Council owing to unnecessarily prolonged debates on motions of minor importance. This was due to a grievance among the Swarajist and Nationalist members at the allotment of a single day for the consideration of the supplementary estimates totalling over half a crore. An additional cause of grievance was that unlike as in previous years no days had been fixed for non-official business during the budget session. After H. E. the Governor's message to the Council had been conveyed by the President, Sir Samuel O'Donnell, the Finance Member, presented the Bill to amend the U. P. Deputy-President's Salary Act. The object of the Bill was to obtain the sanction of the Council for certain concessions which might be made to him in respect of travelling allowances for journeys undertaken by him with the previous approval of the Local Government. Mr. Chintamani moved an amendment substituting the word "President" for "Local Government." The amendment was adopted and the Bill as amended was passed.

## Spinning in Jails.

The Council next proceeded to discuss supplementary estimates. The demand under the head 'Jails' was first taken up. There were several attempts from Swarajist and Nationalist benches to postpone the consideration of the supplementary estimates altogether but the President ruled all such motions out and the House proceeded to discuss the jail demand. The supplementary estimate under this head was brought to make provision for the establishment of vocational schools in central jails for instruction in handicrafts to suitable prisoners. A Swarajist Member moved a token out and wanted to know what kind of vocational training was going to be given to prisoners. More than twenty speeches followed in which various suggestions were made but the speakers mostly supported the scheme of the Government. The closure was at last applied by 84 votes against 42. The Home Member replying said that the subjects to be taught to the prisoners were weaving, dyeing, carpentry and blacksmithy. The Swarajists wanted to add spinning to the list of subjects. The House divided on this question with the result that Swarajists gained their point by 50 votes to 41.

## Special Pay for Medical Officer.

Another motion for reduction of the jail demand was dismissed in the course of the day. The item concerned in the motion related to provision for special pay for a medical officer who had specialised in the treatment of tuberculosis to be placed in charge of Sultanpur Jail where tubercular prisoners were all segregated. The mover of the reduction objected to tubercular prisoners being kept at Sultanpur Jail and urged that they should be sent to Bhowali or Almorah. Numerous speeches in support followed the same line. The Hon. the Nawab of Chhattari, Home Member, pointed out that the provision in the budget was not for the establishment of a new prison for tubercular prisoners but to specially remunerate any medical officer who would be placed in charge of the existing jail. If funds were available the Government would readily consider the question of erecting a prison for such convicts in some healthy spot in the hills; but that was not the issue before the House. The motion for reduction was eventually put and rejected by 51 votes to 34 and the Council was prorogued. The remaining demands were taken up at Nainital in June next. (For Proceedings See Vol. II.)

# The Punjab Legislative Council.

The third Reformed Punjab Legislative Council met on the 3RD JANUARY 1937 at the Council Chamber, Lahore, for swearing in of new elected and nominated members. Of 98 members more than 90 took oath one after the other and it took them three-quarters of an hour to do so. No other business was transacted and the Council adjourned till the next day when the election of the President took place. Khan Bahadur Choudhri Sahabuddin was declared duly elected President of the Council and Sardar Bata Singh as its Deputy President. The Council then adjourned sine die.

## Three Ministers Appointed.

H. E. the Governor of the Punjab appointed the following as Ministers to administer the Transferred Departments in the Punjab:—Agriculture, Excise and Public Works—Sardar Jogendra Singh; Education and Industries—Mr. Manohar Lal; Local Self-Government, Medicine and Sanitation—Mr. Malik Ferozekhan Nun.

In the last two Councils there were only two Ministers, but this time the Governor appointed a third Minister. Thus all the three communities were represented in the Ministry, the Sikh, the Hindu and the Muslim. Sardar Jogendra Singh was re-appointed, and Mr. Manohar Lal was appointed in place of Rai Sahib Chaudhri Chhoturam, Education Minister, who was not re-appointed. The third portfolio was created for a Muslim Minister and Malik Ferozekhan Nun was appointed to hold the charge of this portfolio.

There was a strong agitation amongst the Punjab Mussalmans and in the local Muslim press during the last two weeks for the appointment of a Muslim Minister and this sentiment was voiced by the Muslim League at its recent session in Delhi. Mr. Malik Ferozekhan is a young Barrister practising in the Lahore High Court and had been thrice elected to the Reformed Punjab Council. Mr. Manohar Lal was a member of the first Reformed Punjab Council when he was its Deputy President.

## The Governor's Opening Address.

The next meeting of the Council took place on the 28TH FEBRUARY when His Excellency the Governor of the Punjab addressed the members of the Council. His Excellency, after welcoming the members, referred to the changes in the people's minds brought about by the Reforms scheme and the influence that the new Councils had exerted on the public and the general course of administration.

Explaining his motive in appointing a third Minister, he said that he had found in the history of the Punjab Council many of the beginnings of genuine party spirit, but definite formation on party lines had constantly been obscured by the influence of other issues, at one time by the after results of the non-co-operation or the Khilafat movement, at another by agitation among the Sikhs and so forth.

Continuing His Excellency said: "It was because I felt that though there were beginnings of party life in the Council, the divisions had, nevertheless, not crystallised finally on party lines that I took last December the course of adding a third Minister to the Punjab. I believed that in the present state of things when the Punjab was still feeling its way to definite party system it would be a real advantage to have an early as possible all the main elements represented in the Government." Proceeding, the Governor said:—"My hope was to secure for the Punjab at so interesting and active a period of its development a Ministry constituted on such basis that no important section could complain that its interests were likely to be disregarded and lastly I hoped that by widening somewhat the basis of administration I should make some contribution towards the stilling of communal difference, at all events in the political sphere. The present session will show how far I have correctly assumed that there exists in this Council a genuine desire to unite in promoting ordered and harmonious progress in the province, a desire strong enough to induce various sections to abate something of their mutual differences in order to secure the greater good of the whole. It is no mean ideal, yet it is not one which in truth asks of any man to make an unreasonable sacrifice.

Referring to other problems of administration, the Governor said in respect of crime the province was returning to the normal, but communal differences were still being deliberately exploited and fomented. There seemed to be one clear feature of the present situation. Communal feeling nowhere reached a real state of tension and nowhere

manifested itself in any dangerous form unless there had been keen activity in the communal press or on those disreputable platforms where this form of excitement was conveyed to the public. "It is a distressing feature of affairs to-day" said the Governor, "that ordinary men of each community were not allowed to live at peace and find their own adjustments. Mischief comes from above and not from below. I cannot judge of the truth of the rebuke sometimes brought against the Panjab that it supports the worst communal press in India; but I should pity any other province which could show so many examples of indecent virulence. Of all infernos which the imagination of mankind has painted, surely the deepest and the most dreadful hell must be reserved for those whose only claim to consideration on the day of judgment will lie in the plea that they have damned the faith of others. We have warned and we have prosecuted; we have made direct attempts at conciliation; but this is a matter in which one well directed movement of public opinion would far outweigh any effort which the Government can make or any effect which it can produce. In all sincerity, I ask for the assistance here of members of this Council and for the exercise of the influence which they command outside its walls".

In conclusion His Excellency hoped the members of the Council will realise that the life of the Council had reached one of those critical stages which in ancient medicine would have been called *climacteric*; for it is the work of this Council which would come under the direct observation and view of the Statutory Commission.

#### No-confidence Motion.

Dr. Mahomed Alam, Leader of the Nationalist Party, then moved a resolution expressing want of confidence in the three Ministers in charge of the Transferred departments of the Panjab Government. Before the mover had made his speech and the motion was discussed in the House, the President requested the members who were in favour of leave being granted to stand in their places. As less than 80 members stood up in favour of the motion, leave was not granted to discuss the resolution. Only 24 members supported the discussion of the motion and the announcement by the President that leave had not been granted by the Council was received amidst cheers of Ministerialists.

#### The Budget for 1927-28.

Sir Geoffrey De Montmorency, Finance Member, then presented the budget estimates of the Panjab for the year 1927-28. When Sir Geoffrey concluded his speech he was greeted with cheers from all sides of the House.

According to budget estimates the balance of all accounts at the close of 1927-28 is expected to be Rs. 43 lakhs. Rs. 1,173 lakhs of ordinary revenue expenditure and Rs. 263 lakhs of capital expenditure will be met during the year. Ordinary revenue account and insurance fund accounts will show plus balances of Rs. 21 and 41 lakhs respectively at the close of the year. Latter balance includes the appropriation of Rs. 15 lakhs out of revenue to the revenue reserve fund which will stand at Rs. 36 lakhs on 1st April 1927.

#### Receipts.

In ordinary revenue account receipts are estimated at Rs. 1,118 lakhs or 36 lakhs less than the original estimates of 1926-27. Decrease is due to the remission of Rs. 17 lakhs in taxation announced in June last, an increase of Rs. 14 and half lakhs in irrigation, working charges and a fall under excise of Rs. 4 and half lakhs. Allowance has also been made for expected contraction in the area under cotton on account of fall in prices. Ordinary revenue expenditure is estimated to be Rs. 1,173 lakhs or Rs. 10 lakhs in excess of modified grant of the present year. Chief increases are Rs. 5 and half lakhs under Civil administration, Rs. 7 lakhs in beneficent departments and 12 lakhs in P. W. D. Substantial portion of increase is to be devoted to improvements in the administration of jails, agriculture, education, industries, provincialisation of hospitals and communications.

#### Expenditure.

Steady progress in the development of nation-building activities generally is provided for under capital expenditure. The main objects of estimated expenditure of Rs. 263 lakhs are Hydro-electric Scheme, Sutlej valley irrigation project and communications in Mili Bar. It is hoped to finance the year's programme mainly from the proceeds of the past and future sales of Government lands though ordinary revenue account shows a balance at the close of the year. The rate of increase in expenditure has recently been greater than the rate of increase in income.

In presenting the budget, the Finance Member pointed out that though irrigation scheme promised sure additions to the permanent revenue within a few years, yet mean-



while prudence demanded that the growth of spending activity shall not outrun the limits set by the rate at which resources expand. No remissions of taxation are proposed for the purpose of financing the capital projects. A small loan of about Rs. 50 lakhs may have to be taken from the Government of India towards the close of the year 1927-28. The Council then adjourned till the 5th March.

### Voting on Budget Demands.

#### Provision For Beggars.

On the 5th and 6th March the Council devoted its whole time to the discussion of the Budget. Voting on Budget demands commenced on the 5TH MARCH when the Government's demands for grants came up for discussion and the first thirteen demands from demand No. 23 to demand No. 30 were voted without any discussion. Demand No. 19 moved by the Finance Member in respect of miscellaneous departments (reserved) raised a short discussion owing to amendment moved by Mr. Chaudhri Afzal Haq for a cut of one rupee with respect to item of Rs. 6,000, the total donation for charitable purposes to discuss the policy of Government regarding provision made for beggars, poor vagrants, indigent and old persons. The amendment was supported by a large number of non-official members, all of whom urged the Government to open poor houses and make some provision for Indian beggars, vagrants and old persons and introduce some sort of legislation to stop beggary in public streets. The Finance Member who expressed sympathy with the mover of the amendment said that the matter was primarily for local bodies to deal with and Government did not like to force on local bodies measures which they were not prepared to undertake. The mover, however, pressed his amendment to vote which was carried and which amounted to a vote of censure on Government. The demand was then passed with this nominal cut.

#### Development of Industries.

The next demand No. 18 moved by Mr. Manohar Lal, Education and Industries Minister, for a grant of Rs. 1,00,81,000 in respect of industries (revenue and capital) evoked a likely and animated debate and after a minor amendment had been moved by Mr. Chaudhri Afzal Haq and withdrawn, discussion continued for more than one hour on the motion in which members from all sides of the House took part. All non-official members strongly criticised the small amount provided for industries and attacked Government for their apathy towards promotion and development of industries in the Punjab. Lala Dhanpatrai (Industries constituency representative) characterised the action of the Government in appointing a Development Board without sufficient provision of money as a farce. Sheikh Mahomed Sadiq and Sardar Ujjal Singh suggested to the Government to start factories which would provide work for the unemployed. Lala Boshraj (Swarajist) urged for total rejection of the demand so that the Finance Department might provide more money for the development of industries next time. Raja Harindranath and Dr. Gokulchand Narang while deprecating the small amount provided for industries by the Finance Member asked the House not to throw out the demand but accept whatever they had got, and fight for more. Dr. Gokulchand said that Ministers had no hand in framing the budget and, therefore, they should not be punished for the fault of the Finance Department. He urged the house to reject the demands in respect of land revenue, stamps and general administration etc., when those demands would come up for vote so that the Government might note their feeling in the matter, but he asked the House not to reject totally the industries demand. The motion being put to vote was declared by the President, but oppositionists claiming division votes were taken and the total demand was passed by 47 votes against 23 amidst cheers of Ministerialists. The Council then adjourned.

#### Government's Co-operative Policy Criticised.

On the 9TH MARCH the Council devoted full four hours to the discussion and voting on Government demands for grants and after prolonged debates passed only two more demands No. 17 and 18 in respect of agriculture and medical and public health without any cut, though some members strongly criticised the working of the co-operative societies in the Punjab and pointed out to the Minister of Agriculture that this excellent movement was unfortunately manned by one class of people alone and was confined only to agriculturists. Medical and Public Health department also came in for a good deal of criticism at the hands of the members who urged for more adequate provision for dealing with epidemics and malaria, further promotion of vedsic and unani systems of medicine and creation of more hospitals for villages. Lala Boshraj drew the

attention of the Government to corruption in the Medical department and suggested the appointment of a committee to enquire into the matter. Chaudhuri Dulichand urged for better protection of rural interests and suggested that only agriculturist doctors should be appointed in rural hospital and dispensaries. This suggestion evoked strong resentment from urban members who said no question of rural and urban should arise in the matter of medical treatment. Dr. Gopichand, speaking as a medical practitioner, requested the Minister of Public Health not to bring in the question of agriculturist or non-agriculturist in the Medical College and medical treatment and condemned the spirit of communalism which rural members were trying to introduce even in the medical profession.

The debate having taken a communal turn, the President had to intervene. He regretted that on every subject the Indian members brought in the question of rural and urban interests which he thought was very unfortunate and he informed the House that in future he would not allow such discussion and hoped the members would not compel him to exercise his right in disallowing communal discussions unless they were meant for a particular and specific purpose.

#### Education Grant,

The demand No. 15 for a grant of Rs. 1,44,05,000 in respect of education (transferred) was moved by Mr. Manohar Lal, Minister of Education. Chaudhuri Afsal had moved an amendment for a cut of one rupee with respect to the item of Rs. 69,91,370 for primary education to discuss the Government's policy regarding compulsory primary education and the mover had not concluded his speech when the Council adjourned.

#### Representation in the Services.

On the 11TH MARCH Mr. Chaudhuri Afsal Haq resumed his speech on the amendment moved by Mr. Chaudhuri Jafarullah Khan yesterday proposing a cut of Rs. 1 from the total grant of Police to discuss the Provincial Police Committee's report. The speaker was quoting extracts from the report when the President asked members whether all of them have been supplied with a copy of the report. As all members did not possess a copy of the report, the President asked the Finance Member whether the Government could supply copies to members and as copies were not available at the amount, the President stopped discussion on the amendment and he put the demand under Police to vote which was declared lost. The Finance Member claiming division, the motion was declared carried by 28 to 10 votes.

The next demand under jails and convict settlements was then voted without much discussion after the amendment moved by Mr. Afsal Haq to suggest improvements in the department had been lost.

#### General Administration Demand.

The Finance Member then moved the demand under administration of justice. Rai Sahab Chaudhuri Chotu Ram moved two amendments for a cut of one rupee to draw attention to paucity of agriculturists in the ranks of public prosecutors and in civil judicial service. Both amendments were withdrawn after a lengthy and lively debate which again took a communal turn and there were several requests to the President by Dr. Gopalchand Narang to disallow all communal discussions in the House according to his ruling given two days ago. The mover of the amendment made it a matter of great grievance that agriculturists in the Punjab who formed eighty per cent of the population and who contributed to Government major portion of the revenue and who gave their lives for the sake of the King and country during the War did not receive their due and proper share in civil judicial service and hoped that, when the future appointments are made by the High Court and other subordinate courts, special preference would be given to the claims of agriculturists.

Hindu non-official members, who opposed the amendment, pointed out that agriculturists as such without proper qualifications could not claim preference in public services, and the mover of the amendment, in the guise of demanding preference for agriculturists, was really advocating the cause of Mussalmans of the province who also formed a majority of the population.

The official point of view was explained by Mr. Craik, Secretary, who said he was the only member of the House who was a member of the Committee which led up to the resolution of 1919 referred to by the mover of the amendment. He thought no member could accuse him of lack of sympathy with Zamindars (agriculturists). He assured the House that it was always the practice of the Government when selecting recruits to various branches of public service to scrutinise their records, their educational qualifications with most anxious care and it was the desire of the Government to see that landed classes secured adequate representation in public services and in regard to nearly all

service. Definite proportions have been laid down by the Government and they were getting year by year increasing the number of recruits to various branches of public service from Zamindars. They should not ignore that there were other classes who at present led the way in education and intellectual attainments.

Proceeding, Mr. Craik said it was not fair to keep out men of outstanding educational merits merely because they did not belong to certain tribe and in these days of higher standard of qualifications for public services, it was not fair to take a Zamindar with inferior education merely because he was a Zamindar. Subject to these reservations, the Government was faithfully endeavouring to follow and give effect to the policy laid down in 1919. The Government admitted that progress made in the last few years had not been so rapid as they as well as the mover of the amendment would have liked, but the Finance Member had given an undertaking that the matter would be taken up in consultation with the High Court and in view of the undertaking, he hoped the mover would not press the amendment.

Shaikh Fais Mahomed referred to the paucity of Mahomedan Judges in the High Court since 1919 and was discussing the question of the resignation of Sheikh Abdul Quadir, an ex-Judge of the Lahore High Court, and was mentioning that it was due to difference between Sir Shadill Lal, Chief Justice and Sheikh Abdul Quadir that the latter was forced to resign his judgeship when Sir Geoffrey de Montmorency rose to a point of order and asked the President's ruling whether the member could discuss the conduct of a Judge of the High Court in the Council. After short discussion on the standing order on the point, the President said if the Member referred to any Judge even in his administrative capacity and meant to reflect upon him he ought to withdraw his remark. Quoting Parliamentary practice on the subject, he said no reflections or disrespectful mention of any kind should be made in respect of any Judge of any High Court and no member should introduce the personality of any Judge of any High Court or even of subordinate courts in discussion on the floor of the House. Only administrative actions of collective body of the High Court, if absolutely necessary, might be introduced and if possible references to that also might be avoided. Sheikh Fais Mahomed withdrew his remarks and references to Sir Shadill and Judges of the High Court and apologized to the House for making any such reference.

The Demand under administration of justice was then put and carried.

#### Transferred Department Demand.

Sardar Jogendra Singh then moved demand under General Administration (transferred). There were two amendments for cuts by non-official members under this demand to reduce salary of Ministers, to discuss the arbitrary manner of appointment of Ministers and to discuss unconstitutional acceptance of Ministership. The President ruled out four of these amendments remarking that under Parliamentary practice the members could not discuss the action of the Governor about the selection of a Minister. Before other amendments urging reduction of Minister's salary could be moved, the Council adjourned.

#### Debate on Ministers' Salaries.

On the 14TH MARCH the public galleries were crowded when the Council reassembled and resumed discussion on the Government's demand for grant relating to General Administration (transferred).

Dr. Shaikh Mahomed Alam moved that the grant be reduced by Rs. 72,000 with respect to the item of Rs. 1,80,000, the total pay of officers urging a reduction in the salary of the Ministers from Rs. 5,000 to Rs. 3,000 each per mensem. In the course of a lengthy speech in Urdu, Dr. Alam said if the Ministers agreed to take a reduced salary they would be more honoured by the elected element of the House than would be the case if they continued to draw Rs. 5,000 a month. The financial condition of the provinces did not allow the provision of such a big sum for the salary of the Ministers. Out of the reduction proposed, a considerable amount could be spent on charities and other needs of the provinces. He could not understand why a sum of Rs. 15,000 instead of Rs. 10,000 was being asked from the House when nothing extraordinary has happened to the provinces and no new departments have been created for the Ministers. If the House sanctioned an additional sum of Rs. 5,000 to-day for the Third Minister, they would be asked some time later to provide for four, five and ten more Ministers. On principle he objected that the best of their members should be taken away from the treasury benches on fat salaries from elected seats where they could be of use and service to the country and the people.

Bairada Hansraj supported the amendment and reminded the House that when discussing the budget he had appealed to the Ministers to voluntarily take a less salary

than Rs. 4,000 as has been done by the late Sir Surendranath Banerjee and some other members in other provinces in India; but he was sorry to find that it had produced no effect on their Ministers. He could not understand why the Ministers should take a higher salary than the High Court Judges who were drawing Rs. 4,000 per annum and hoped they would not care more for money than for service of the country.

Sir Geoffrey D. Montmorency, Finance Member, explaining the reasons of the provision of salaries of the ministers as it stood in the budget, said in the Punjab the maximum salary had been fixed by the statute at Rs. 4,000 and that once the Legislative Council had voted a smaller salary for the Minister that salary could not be raised. Moreover, he thought it would be very undesirable and invidious that a Minister should receive a smaller salary than a member of the Executive Council. It would at once give rise to the impression that the charge of the transferred departments was less important than the reserved departments. In the Punjab, a greater part of the new money went to the transferred department's which were rapidly expanding. It was on these departments that interested criticism and suggestions, both inside and outside the Council, took place. It would, therefore, seem undesirable to take any step which should belittle the grave importance of the beneficent and nation-building departments.

Continuing, the Finance Member said if a smaller salary was voted for the Ministers men of good stamp would hesitate to accept the posts and he thought everybody recognised that men of good stamp were required to take charge of these very important departments. Looking back at the history of the Council, they found that the classes of persons from which their Ministers had been drawn were persons interested in commerce and industry owning and managing large estates and engaged in the legal profession. To all these three classes of persons, the Ministry involved severing of personal touch and diversion and loss for three years in those sources which they would have been otherwise personally managing. People of good stamp in a good many cases may be patriots. Nevertheless, they had duties towards their dependents and families and they could not seriously afford to jeopardise those interests by neglecting their business and occupying themselves in public duties unless a fitting remuneration was paid for those public duties. The result of lowering the salary might be that for A-1 Class of men they would get C-3 Class of men. Moreover, even in days of financial stringency they did not suggest reduction of salary of the Ministers and the Finance Member thought that in these days of comparative affluence, there seemed far less reasons, indeed hardly any reasons, to take the step of reducing the salaries of the Ministers.

After 3 hours' animated debate the amendment was put to the House and rejected, the supporters not claiming a division. The demand under General Administration (transferred) was then put and carried. The Council then adjourned.

#### Exemption of Sword from Arms Act.

On the 15TH MARCH three more demands were voted in the Council without much discussion and proceedings were more or less dull compared to yesterday's animated debate. The demand under General Administration (reserved) was voted with a nominal out of one rupee which was proposed by Chandhuri Afzal Haq to raise a discussion for the exemption of the sword from the operation of the Arms Act and carried in spite of official opposition.

Sir Fazl Hassan, speaking on the motion on behalf of the Government, informed the House that the sword had been exempted from the operations of the Arms Act for certain class of persons in the Punjab, namely, those who paid income-tax or certain amount of land revenue and title-holders etc., and that the Government of India had been pleased to accept the recommendations of the Punjab Government on the resolution moved and adopted by the House some years ago; but the Government could not exempt the sword for all persons on account of unfortunate communal tension in the province and riots that broke out after the resolution on the subject was adopted in the House in 1924.

#### The Bhakra Dam Scheme.

Five motions for cuts were moved by various non-official members to reduce the grant under irrigation two of which were withdrawn, two ruled out of order by the President and one was rejected by 27 to 24 votes and the total demand was voted after a short discussion. Speaking on the amendment moved by Mr. Chaudhri Chhotu Ram proposing a token cut to protest against the delay in pushing forward the Bhakra Dam scheme and that project, Mr. Smith, Chief Engineer, informed the House the reason why the Bhakra Dam scheme was delayed. He said that in the opinion of experts no suitable site for the dam was available which could benefit the districts of Rohtak and Hissar where distress owing to scarcity of water was acute and they could not build the

scheme on something that would eventually fail and be a source of great danger to the districts and before spending the taxpayers' money they wanted to be sure that they were going to build on something certain and which would be a benefit to the agriculturists of the districts. Speaking about the project Sir Fazil Husain, Revenue Member, informed the House that they were waiting for the decision of the Government of India and the sanction of the Secretary of State on the scheme submitted by them and that the Government did not show any lack of sympathy in the matter which was still being examined by experts.

The Council was discussing the demand under registration when it adjourned.

#### Debate on Excise Policy.

On the 16TH MARCH further demands for grants were discussed and voted. The demands under registration, forests, and stamps were voted without any cuts and much discussion but the demand under excise created considerable excitement and was not carried until division was called. The token cut proposed by Rai Sahib Chaudhri Chhoturam to denounce the present system of recruitment in the Excise Department which, according to him, resulted in very poor representation of Zamindars, particularly Hindu Zamindars, was eventually withdrawn by the mover after an assurance had been given by the Minister for Agriculture that everything possible is being done for proper representation of Zamindars in the department.

Sardar Narain Singh then moved another token cut to discuss the excise policy of the Government and, in his speech, asked the Government to reach the goal of their policy, namely, total prohibition without delay even at the sacrifice of revenue. The amendment was warmly supported by a large number of non-official members all of whom urged the minimum consumption of liquor to be brought to zero and save the people from the drink evil. Those who opposed the amendment said it was excessive drinking which was a vice and total prohibition would never be a success and would result in increase of illicit distillation.

Sardar Jogendra Singh, Minister for Agriculture, expressed his sincere sympathy with the object of the mover and welcomed all suggestions which would prevent drinking in the provinces. High duties on liquors, he told, had been proposed by the Government to prevent excessive drinking and not to get high income. He pleaded for co-operation fully with the Government in eradicating the drink evil and illicit distillation. After assurances from the Minister, the mover wanted to withdraw his amendment but leave to withdraw was refused by the Council and the motion reducing the demand under excise by one rupee was put to the House and was carried by 37 to 34 votes.

The Council was discussing the demand under land revenue when it adjourned.

#### Remission Of Tax On Well-Irrigated Lands.

On the 17TH MARCH discussion and voting on the Government's demands for grants were considered in the Council. Of 33 demands 31 had been disposed of up to yesterday evening and only the last demand under land revenue was discussed to-day and voted after the amendment moved by Rai Sahib Chaudhri Chhoturam proposing a cut of one rupee urging the Government to remit taxes on well-irrigated lands had been carried by 80 to 26 votes. Altogether six amendments proposing cuts under this demand were moved three of which were withdrawn, one ruled out of order and one was not moved at the request of the Revenue Member and the last one was carried reducing the grant to rupees one despite Government opposition.

On the total Government's demands for grants only four cuts in the form of token cuts were carried by the Council and the rest of the demands were voted in full. Four token cuts that were effected related to the demand under Education (Transferred), General Administration (Reserved), Excise and Land Revenue. The House then adjourned.

#### Release of Sikh Prisoners.

On the 21ST MARCH after 4 hours' lively debate the Council carried a non-official resolution moved by Sardar Kundan Singh recommending to the Government to forthwith release Sardar Kharak Singh, President, Central Board and all other Gurdwara prisoners. The Government did not claim a division. The resolution was warmly supported by the non-officials of all parties and appeals were made to the Government to close the chapter of the Sikh struggle for Gurdwara reform by showing magnanimity and releasing the Gurdwara prisoners especially when the Gurdwara Act was passed and the Gurdwara disputes were being disposed of by the Gurdwara tribunal, thus showing that the Sikhs had given up direct action and had taken recourse to constitutional methods and ordinary law of the land.

## The Finance Member's Statement.

Speaking on the resolution regarding the release of the Sikh Gardwara prisoners, Sir Geoffrey de Montmorency, Finance Member, said that he was fully aware how genuinely the sympathies of the Sikhs were engaged in the resolution and the Government knew full well the importance they attached to it. While sympathising with individual cases, no one could set aside the fact that the acts of these persons individually and in mass had certain more serious aspects. They were all apostles of direct action. Offences under the Civil law, which governed the rights of their fellow citizens have been committed by them, in addition to causing grave disturbances to public tranquillity. They have actually committed offences against persons and property involving in some cases violence in varying degrees. It was the earnest desire of the Government to ensure the working of the Gardwara Act, to compose troubles and take all such measures as would remove rancour. The offer of the condition by the Government to the prisoners was made in a fair and just spirit and did not involve expression of regret by the prisoners for what had been done. It merely constituted a fair and just invitation to those who had been convicted to abandon direct action in future and to adopt those provisions of the law which had been passed by the Sikh community approved by other communities and even passed into law by this legislature. Those who did not elect to take advantage of the offer indicated that they had elected to pursue the old and bad way of direct action. They would no doubt like to emerge as martyrs in a cause and as persons of different calibre to those who had accepted the offer. Experience had shown them that general amnesties did not always have beneficial results as was supposed they would have. This was specially the case with the Sikhs. The release of Sikh prisoners in 1922 did not bring peace. Similar action in 1923 after the Guru-ka-bagh affair did not bring immediate improved relations. He admitted that the prestige of the Government would in no way suffer. Nevertheless, the question was whether this act of kindness in the general interests of the public was going to be an act of wise administration. In the present case they were dealing with men who still were unrepentant and who had a predilection for applying the doctrine of direct action and force as the sole solution of questions of civil rights. No Government would be justified in taking an easy-going view of such predilections or any glossing over such predilections by amnesties. The Government could not afford to be thought as ready lightly to condone breaches of the law which broke the civil rights of citizens. Even if the Government, in spite of these weighty considerations, had been inclined at the beginning of this year to consider this as a very special case, did they receive any encouragement in any Sikh quarter to do so? asked the Finance Member. Recent unbridled speeches and formation of jathas were signs that those unrepentant persons in favour of direct action would, if they emerged from jail, unfortunately still find elements among the Sikhs prepared to fall in with their views. For this reason, said the Finance Member, the Government must oppose the main object of the resolution. But so far as Sardar Kharak Singh personally was concerned, he said he had finished serving out his sentence of substantive imprisonment of 4 years in April last and was now serving sentences in continuation of the sentences under the Prisons Act which will expire about December next. He was sentenced three times for offences under the Prisons Act and has now served out the first of these sentences and was serving the second. The Governor in Council has decided to release him on the expiry of his second sentence and to remit his third sentence. He will accordingly be released about the beginning of June next.

## Non-official Resolutions.

On the 22ND MARCH four non-official resolutions were discussed in the Council, two of which were withdrawn, one was carried and the last was talked out. When the Council reassembled, discussion continued on Chandhri Afzal Haq's resolution recommending to the Government to take necessary steps to stop the institution of Honorary Magistrates within the period of the next three years. The resolution did not receive the full support of the House and though supported by a number of members, was strongly opposed by a majority who defended the institution of Honorary-Magistrates and said that they were doing a good deal of public service and should not be abolished.

Sir Geoffrey De Montmorency, speaking on behalf of the Government, said that abolition of this honorary agency which existed in the most democratic countries and was doing useful work, specially in small towns, would cost the Province about Rs. 9 and one-fourth lakhs. The Government was of opinion that the agency should be continued and new rules and instructions would be strictly enforced in future while making appointments. If at any future time strong, impartial, and honest Panohayats came into

being, the Government would re-examine the matter and might dispense with some of the Honorary Magistrates. The resolution was withdrawn.

The next resolution which was also moved by Chaudhri Afzal Haq recommended to the Government to take necessary steps to accommodate in the Panjab jails all political prisoners of this province including martial law prisoners who are serving their terms of imprisonment in the jails of other provinces. The resolution which was supported by a number of Sikh members did not excite any lively debate and the Finance Member made an important speech explaining the Government's position in the matter.

The Finance Member said so far as he had been able to discover, no martial law prisoners were confined in jails in other provinces. Some time ago, 9 martial law prisoners were confined in the penal settlement of the Andamans. He was quite willing to send for the rolls of these prisoners and to see how the case stood as regards these prisoners. There were, however, 85 convicts confined in jails in other provinces who were not martial law prisoners, but persons convicted of serious criminal conspiracies against the State and of offences against the Arms and the Navy. With one exception, three prisoners were convicted during the war and between the years 1915 and 1917. There was proof that the leaders of these conspiracies in some cases received assistance from sources outside India and were instigated in the foolish acts which they committed by these sources. Most of them were sentenced to transportation for life or transportation to 30 or 25 years. In the ordinary course, all of them would have been transported to the Andamans; but at that time the Government of India considered that in view of insecurity of the seas and the pressing need of the troops it would be unsafe to transport a number of such dangerous conspirators at that time to the Andamans. It was considered at the same time dangerous and undesirable to confine these dangerous conspirators in the Panjab jails. After discussion with the Panjab Government, therefore, it was finally decided that the gang should be split up and be incarcerated in jails in other provinces. This was accordingly done and the wisdom of this step became almost immediately apparent because of the very dangerous mutiny organised by a few of these prisoners in Hazaribagh jail. At present there were 85 of these convicts, of whom 84 were convicted in the circumstances above mentioned. They were confined in jails in other provinces in the following manner: 13 in Central Provinces, 14 in Bombay, 1 in Bihar, 7 in Madras and 1 in Burma. After giving the most careful consideration to these points, the Government have come to the conclusion that it would be highly undesirable to bring back at once the whole of these prisoners to the Panjab jails; but the Government have decided that owing to the change in the atmosphere, it may now be possible to consider the return to the Panjab jails of some of the convicts if carefully selected. The resolution being pressed by the mover was put and carried amidst non-official applause. The Council then adjourned.

#### Agriculture Minister's Statement.

On the 23RD MARCH the last sitting of the Council was held and after a number of demands for supplementary grants were voted and Sir Fazli Hussain had introduced the Panjab Land Revenue (Amendment) Bill the Council adjourned *sub. ch.*

Sirdar Jogendra Singh, Minister of Agriculture, made a lengthy statement to-day explaining the programme of work to be carried out during the coming years and the policy to be pursued by his department. The Minister was constantly interrupted and several points of order were raised by members while he was reading his speech. Members who raised the points of order wanted to know from the President whether a Minister could make a statement of the policy without allowing the Council to discuss it. The President informed the House that the Minister was reading a statement with the permission of the chair. Sardar Jogendra Singh describing his five years' programme said they would be opening in the present year 7 farms and 25 veterinary hospitals and had also been able to secure the services of a fruit expert. They were also studying the problem of lift irrigation and hoped as the result of investigations, they would be able to afford dry areas of the Punjab some facilities of organised irrigation. In his opinion, meat or milk was essential for proper nourishment and he was making arrangements for increasing milk supply and was trying to quicken up the pace of selected breeding of cows. He hoped to open two thousand more co-operative societies in the new year and thought there was great scope for capitalists to join together and to make money available both for agriculture and industry. Regarding the excise policy, he could not see the possibility of enforcing prohibition but for the next few years if they could make use of local option in cities and could organise temperance societies in villages and close down shops where conditions permitted, they would have done a good deal to pave the way for prohibition.

# The C. P. Legislative Council.

The first sitting of the Third Reformed Legislative Council was held on the 8TH JANUARY 1928 in the noon in the Council Hall, Nagpur under the presidency of Mr. C. U. Wills. The business on the day was the election of five members to the Court of the University by non-official members of the Council. The election of the President was held on the 10th, when Sir S. M. Chitnavis was declared elected president by 47 votes against 20 votes secured by his rival Mr. G. S. Gupta. The house then adjourned after some minor transactions.

## Governor's Address to Members.

On the 11TH JANUARY His Excellency the Governor entered the Council Chamber in procession and congratulated Sir Chitnavis heartily on his election as the President and the Council on having got him as their President. He said that Sir Chitnavis's family had played a notable part in the history of this city and province and of this Council. He said that it was a remarkable thing that one brother should succeed another in the high office to which Sir Sankarao Rao had been called and wished him success during his tenure.

He, then addressing the Council, expressed satisfaction for filling up the blank left in the rules for working the new constitution by the just mode of election. He was anxious to have it settled as soon as possible whether they wished him to take action to restore the working of the constitution to the form intended by Parliament and in vogue in most of the other provinces. So long as the plan placed by their predecessors in this Council on the formation of a Ministry existed, he said he was not a free agent. He could not as in the provinces in which no plan existed proceed to give effect to what seemed to be the verdict of the constituencies without calling these together and taking their formal decision. He sympathised with the unsuccessful old members and congratulated the successful old and new members. As many as 31 old members have been re-elected and 84 are new ones.

He said that he had nominated the full number of eight officials permissible under the Act. This has been done partly to gain time to look around and see whether there are other interests deserving of representation or more representation in the Council, but mainly because he wanted to make more opportunities of bringing into touch with each other official and elected representatives of the people. Many of the misunderstandings which now occur are due to that lack of free intercourse on an equal footing which works in the legislatures. He said that he learned so much from mixing in the lobbies of the Legislative Assembly and the Council of State with those who would guide public opinion that he attached special importance to this training for as many officers of the Government as possible. He thought that there were few public men who will deny that they in the turn had derived benefit from similar intercourse with officials.

While addressing the Council in last March, he called upon them to sink racial, communal and sectional differences and join forces with his Government in the battle against ignorance, disease and poverty. Their Excellencies the Viceroy and Lady Irwin's visit to this province gave a remarkable stimulus to the development of this spirit. He remarked that where the atmosphere was wrong, no measures, however perfect in form and conception, would do much good. Where the atmosphere is right, even faulty measures are effective. He then referred to several improvements particularly for medical treatment of women and children. His Government has also been reviewing its jail policy and tackling the problem of released prisoners. His Government has at work the steam tackle for ploughing authorised by the last Council and is preparing a Bill to facilitate the consolidation of scattered holdings for the consideration of the Council. His Government has prepared materials for the reorganisation of the provincial service, but has postponed any decision until they shall have shown whether they wished the Governor in Council or their own Ministers to take the final responsibility with respect to what should be transferred departments.

Concluding his address, he said that the time had come to leave them to the discussion of the constitutional question they had been called together to decide. He said that on public and personal grounds, he wanted them to take part in the great scheme inaugurated by Parliament of developing self-governing institutions with a view to the



progressive realisation of responsible Government in British India as an integral part of the empire. He assured his help towards the realisation of that great conception. He had no prejudices as by now they must have realised about any person or any party in this Council. His sole desire is to act constitutionally to the best of his ability. He always held that to have any permanent value, the decision to have Ministers must be theirs and not his. It is for them to take or to refuse the opportunities offered to them.

#### Motion for Ministers' Salary Passed.

After the Governor had addressed the members, the Hon'ble Mr. Marten moved for the supplementary demand amounting to Rs. 9,000 on account of salaries of two Ministers for one month and Rs. 1,000 for travelling allowance.

Mr. Gole opposed the motion and proposed a cut of Rs. 8,996 thus fixing the salaries of the Ministers at Rs. 4 only. Rao Bahadur N. K. Kelkar supported Mr. Gole.

Mr. Raghavendra Rao, on behalf of the Nationalist Party, supported the supplementary demand stating that his constituency has given the verdict for working the reforms. Mr. Dick supported the motion for the supplementary demand.

Dr. Khare opposing the motion asserted that there were many inconsistencies in the utterances of the members who were in favour of supporting the Ministers' salaries and working the reforms. He further said that the heavens would not fall if they waited for a month and a half.

Khan Bahadur Gulam Mohideen severely criticised the Responsive Co-operation Party and the newly formed Nationalist Party. He said that they were for working the reforms and would vote for the supplementary demand; but they did not approve of the personnel for the offices of Ministers.

Mr. Ghanshyam Gupta, on behalf of the Congress Party, opposed the motion, stating that the pledges of the Responsive Co-operation Party or the Independent Party did not allow them to accept offices. He then appealed to all Congressmen to protect the prestige of the Congress.

Mr. Umesh Dutt Phatak said that he was for opposition, but on hearing the speeches of the Congress Party he came to the decision to support the supplementary demand.

Mr. Kedar said that the Ministers' posts were not in the gift of the Government. If backed by the majority party, they will have the privilege of suggesting persons for ministerships.

Mr. Mahomed Sharif Hussain said that the formation of the ministry at this stage was a mere show and that it could not be a stable ministry.

The motion for the supplementary demand was carried, 55 voting for the demand and 16 against it.

#### Voting on other Demands.

The second supplementary demand amounting to Rs. 3,25,000 for advances to cultivators under the Agriculturists Loan Act and the third demand amounting to Rs. 75,000 for advance to cultivators under the Land Impregment Loans Act were accepted by the Council without any debate and the Council then adjourned.

On the 12TH JANUARY the Hon'ble Mr. Marten read a statement on behalf of the Government announcing the appointment of Mr. Raghavendra Rao of Bilaspur and Mr. Ramrao Deshmukh of Amraoti as Ministers. Mr. Klaparde, Responsivist, was declared as Deputy President and the Council then adjourned.

#### Budget Estimates for 1927-28.

The Council next met for its Budget Session on the 3RD MARCH with the Hon'ble Sir Shankara Rao Chitnavis in the chair. The visitors' galleries were sparsely attended. For the first time during the last three and half years, the two Ministers, Messrs. R. Raghavendra Rao and R. M. Deshmukh sat in the Treasury bench. The Hon'ble Mr. Raghavendra Rao was dressed in white khaddar and wore a Gandhi cap.

The Hon. Mr. J. T. Marten, Finance Member, in presenting the Budget for 1927-28, said that last year he ended his speech on note of hope preceded by a note of warning. The circumstances of the year had shown that the warning was necessary though the year had proved less favourable than they hoped. There was no cause for alarm but with a right understanding of the situation they had substantial grounds for guarded optimism owing to unfavourable conditions of the year which resulted in the fall in prices of cotton and the effect on the money market of that fall, land revenue had to be suspended in Berar and Nagpur Divisions. The decrease in the spending capacity of the people had reacted on other heads of revenue. Instead of a deficit of about Rs. 25 lakhs as originally estimated, the revised estimates showed a deficit of over Rs. 60 lakhs and

the balance had, therefore, been reduced by that much. The free opening balance which stood at Rs. 78 lakhs in the beginning of the current year was now down to under Rs. 5 lakhs.

#### Estimates for 1927-28.

Turning to the Budget for 1927-28, Hon. Mr. Marten said that they had budgetted for revenue of about Rs. 563 lakhs and expenditure of 593 lakhs which resulted in a deficit in revenue account of Rs. 30 lakhs. A sum of Rs. 55 lakhs would be borrowed from the Government of India to meet certain items of capital expenditure which had been met in the past from the provincial balance and thus add a corresponding amount to the balances. This will give a free closing balance of Rs. 13 and half lakhs. The actual balance in Famine Insurance Fund at the end of the next year is estimated at over Rs. 2 crores. For the coming year Rs. 83 and half lakhs have been allotted for new expenditure, bulk being non-recurring of which about Rs. 6 and half lakhs will be on the reserved side and about Rs. 27 lakhs on the transferred side.

After pointing out that the proportion of expenditure on transferred side had steadily increased, Hon. Mr. Marten said that the excess of fluid assets over liabilities which was estimated at Rs. 136 lakhs at the end of the Budget year to Rs. 51 lakhs. The Finance Member referred to the welcome news of the announcement in the Assembly regarding the remission of provincial contributions in part permanently and concluded: "We shall have exhausted our previously accumulated balances in useful expenditure mostly in the transferred and nation-building departments while at the same time steadily building up our Famine Insurance Reserve. Presuming that the receipts from land revenues, excise, stamps and forests keep steady, we can hope for a slight excess of income over ordinary expenditure. But our hopes of expansion in the near future lie chiefly in the prospect of the abolition of the provincial contribution and the completion of Famine Insurance Fund. Meanwhile, our prospects have been brightened in the last few days by the hope of an immediate relief from the provincial contribution. An addition of Rs. 23 lakhs to our resources will enable us as soon as we have recovered from our temporary embarrassments to proceed with our nation-building schemes and the province will watch with the greatest interest the fate of the proposals in the Government of India's Budget which are of such tremendous importance to our progress and development."

#### Official Bills.

After the budget was presented, Government legislative business was taken up. The Hon. Mr. Tambe moved a bill to amend the Central Provinces Courts Act 1917 in order to increase the Small Cause Court jurisdiction as suggested by the Civil Justice Committee.

Mr. D. K. Mehta moved that the bill be circulated for eliciting opinion thereon and the motion was carried.

The Hon. Mr. Raghavendra Rao moved a bill to amend the C. P. Excise Act in order to extend the prohibition of cultivation of Cocoa plant in all its varieties. The mover said that the bill was being introduced at the instance of the Government of India. Leave was given for consideration of the bill at once; but the Hon. Mr. Rao promised to move its passage next day.

The Hon. Mr. Marten moved a bill to amend the C. P. Tenancy Act, but Rao Bahadur N. K. Kelkar proposed that it should be circulated. The motion for circulation was adopted.

The Hon. Mr. Tambe moved a bill to amend the Public Gambling Act with the object of checking Satti Gambling. The Council granted leave.

The Hon. Mr. Rao moved a bill to amend the C. P. Primary Education Act with the object of prescribing the period during which a child liable to compulsory education shall attend a primary school and to render it possible for local bodies to apply compulsion gradually and to enable children to enter upon a course of instruction.

Rao Bahadur Kelkar moved that the bill be referred to a select committee in order to see whether the draft could be improved.

Mr. R. H. Beckett, Director of Public Instruction, answered the objections of the previous speaker and pointed out that the bill introduced compulsion by stages and fixed a reasonable age. He asked the House to treat educational matters as non-party questions.

The Hon. Mr. Rao accepted the motion to refer the bill to a Select Committee and the House agreed.

The Hon. Mr. Deshmukh moved a bill to amend the village sanitation and Public Department Act with a view to allow panchayat to charge fees for the use of slaughter houses and to insist on their being used. The bill was referred to a Select Committee.

## B. N. R. Strike.

The Council then took up the motion for adjournment moved by Mr. B. G. Khaparde in connection with the failure of the B. N. Railway to maintain an efficient goods and passenger traffic service, thus causing great inconvenience to the people of the province. Mr. Khaparde said that owing to the strike the Railway traffic was being worked by inexperienced men which led to the trains coming several hours late and which may lead to accidents and loss of life. Mr. Khaparde hoped that the strike would soon end in favour of the workers and the public inconvenience would be stopped.

Mr. W. Fulay, nominated labour representative, supported the motion.

Mr. B. G. Pradhan, said that it was high time for the Government of India to see that they fulfilled their duty to the people of this province by interfering in and settling the strike in favour of the strikers. He asked the C. P. Government to move the Government of India to end the strike.

Mr. Bartlett opposed the discussion of the question as he thought that it would not help matters but would only raise hopes in the strikers and cause great disappointment.

Some members characterised as a great horror that ordinary goods clerks of the B. N. Railway were allowed to work as guards of the Railway trains and they pointed out that passenger trains should not be entrusted to such untrained hands.

Mr. H. C. Gowan in reply to the above charge, said that he was present in England during the general strike and though untrained men worked the essential services the number of accidents was extraordinarily small.

Dr. Khare asked that when an acute condition of distress prevailed in the province what had the Government done, what had the Minister of Industries done to ameliorate the condition of the strikers and to remove public inconvenience? Several non-official members also spoke in support of the motion.

The Hon. Mr. Marten, Finance Member, said that the Railways was a central subject and it was not possible for the local Government to do anything in the matter. They all felt the annoyance caused by the strike, but the local Government's functions were limited. The Government was in sympathy with those who were affected by the strike troubles, but it had no powers to interfere in the strike. Although a debate in the Council was beyond its purview, the Government allowed it with a view not to stifle discussion. The Hon. Mr. Marten promised to forward the proceedings of the debate to the Government of India.

The mover of the motion, Mr. Khaparde, accepted the force of the argument of the Finance Member that it did not lie in the hands of the local Government to end the strike. Mr. Khaparde said that if the motion was passed to division it would have been carried as support came from all sides of the House; but seeing the attitude of the Government he did not wish to press the motion. The motion was withdrawn and the Council adjourned for the day.

## Transaction of Official Business.

On the 4TH MARCH the Hon. Mr. Raghavendra Rao moved that the C. P. Excise Amendment Bill be passed into law. The Council agreed unanimously.

The Hon. Mr. Raghavendra Rao moved that the C. P. Weights and Measures of Capacity Bill be referred to a Select Committee. The Council unanimously agreed.

The Hon. Mr. Rao further moved that a bill to amend the C. P. Prevention of Adulteration Act be circulated for eliciting opinions thereon. The Council agreed.

The Hon. Mr. S. B. Tambe moved that the Central Provinces Borstal Bill be referred to a Select Committee. The object of the bill is to make provision for the detention and training of adolescent offenders. The Council agreed to this unanimously.

## Budget Discussion.

General discussion of the budget was held from the 5th to 7th March. The non-official members emphasised that more money had not been provided for expenditure on nation-building departments. Berar members criticised that remissions and suspensions of land revenue granted to agriculturists had not been adequate. Some members pointed out that more money should have been spent on primary and secondary education. Criticism was also made against payment of extravagant salaries to officers of the Imperial Services. Replying to the various criticisms the Hon. Mr. Raghavendra Rao defined the policy of the Minister. After a brief reply from the Hon. Mr. Marten, Finance member, the Council rose for the day.

## Voting on Budget Demands.

On the 8TH MARCH the Council took up voting of demands for grants. There were over 550 motions to reduce or omit grants in the budget for the year 1927-28. The

demand under Land Revenue was taken up first and there were over 100 cuts under this head of which notices had been given. Most of the cuts relate to the expenditure on Survey and Settlement operations in various parts of the province.

#### Cuts Under Land Revenue Passed.

On the 9TH MARCH, the Council discussed the several items under the land revenue. (reserved). Cuts under different heads amounted to Rs. 29,42,700. The Nationalist Party and the Congress Party jointly voted for cuts. While demands under Excise (Transferred) were under discussion, the Council adjourned.

#### Debate on Excise Policy.

On the 10TH MARCH demand under excise transferred Rs. 15,52,950 was taken up. Dr. Khare moved a cut of Rs. 15,200 being the pay of distillery expert of Govt.

The Hon'ble Mr. Raghavendra Rao, Minister for Excise, said that the present incumbent was due to retire in a few years and after his retirement the Government will consider the questions whether the post should be retained or not.

Dr. Khare passed his motion which was lost by 18 votes against 40. There were several other cuts under excise, but discussion developed into a debate on the excise policy of Government. Several Swarajists attacked the Minister and Dr. Khare called him Minister for consumption. They also pointed out that the credit for whatever fall there was in the consumption of liquor was due to Congress movement and not to the Government and when the Congress movement began to wane, consumption of liquor was showing a tendency to rise.

Mr. B. N. De, Revenue Secretary, pointed out that the Government acknowledged in their reports that Non-Co-operation gave an impetus to the movement towards prohibition, but its beneficial effects did not last long. Mr. De narrated the efforts of the Government to reduce consumption.

Mr. R. G. Khaparde said that the Minister for Excise had taken office recently but if the Council laid down a definite policy, he was sure the Hon. Mr. Rao would carry it out.

The Hon'ble Mr. Raghavendra Rao explained his excise policy further. Mr. Rao said that in 1921 the Legislative Council dictated a policy and that policy he was prepared to pursue. If the Council wanted any change, it was for it to express an opinion. As regards propaganda work if the Council suggested any methods, the Government would consider them, but Mr. Rao was against picketing.

After Mr. Rao's reply, a motion for a cut of Rs. 20,000 under District Executive establishment which gave rise to the whole discussion was withdrawn.

After further discussion the Council voted the entire demand under excise.

#### Other Demands.

The demand under stamps was voted without any discussion. Discussion of the demand under forests was not yet over when the Council rose for the day.

On the 11TH MARCH discussion of the demand under forests was taken up. Non-official members criticised the forest policy of the Government. Out of a total demand for Rs. 36,52,450 under 'Forest' the Council carried cuts amounting to Rs. 1,06,267 under general direction and contingencies.

#### Registration.

When the demand under Registration was taken up, Mr. G. S. Gupta (Swarajist) proposed a cut of Rs. 100 under 'Superintendence.' The mover said that the Registration Department was one of the most corrupt departments. Mr. Gordon and Hon. Mr. Raghavendra Rao, on behalf of the Government, gave an assurance that if the mover brought instance of corruption to the notice of the Government suitable action would be taken. The motion was withdrawn. The total demand of Rs. 22,500 under Registration was voted without reduction.

#### General Administration.

Demand under 'General Administration' (Reserved) was then taken up. Mr. G. R. Pradhan moved a token cut of Rs. 1 under General Administration—Heads of Provision. Mr. Pradhan said he moved the cut as he was dissatisfied with the whole administration and especially with the Government's indifference to the problem of providing houses for clerks. He also complained that more days were not allotted for non-official business. The Hon. Mr. Marten replied that three days provided for non-official business were sufficient as the members had an opportunity of discussing various questions at the time of the budget discussion. He repudiated the charge that the Government was in any way indifferent to the welfare of the clerks. Mr. Pradhan pressed his cut which was

carried by 25 votes against 18. Discussion under General Administration was not over when the Council rose for the day.

#### Grievances of Agriculturists.

On the 12TH MARCH the Council discussed Rao Saheb Konde's cut for Rs. 1,000 under the head of General Administration (Reserved) as a protest against the bad conditions of agriculturists in Berar.

The Hon. Mr. J. I. Marten assured the house that the discussion on the subject would receive due consideration and the Government would look at the agriculturists' grievances with sympathy. The motion was carried.

#### Abolition of Commissioners' Posts.

After lunch the Council discussed a cut amounting to Rs. 1,42,700 for abolishing the Commissioners' posts and it was declared carried by a majority of three votes. 27 members voted for the cut and 24 against. Independents and a few members of the Nationalist Party voted with the Congress Party.

#### Government's Irrigation Policy.

On the 14TH MARCH discussion of the demand under irrigation was taken up. The Hon'ble Mr. Marten moved for a grant of Rs. 6,44,000 both under irrigation works charged to revenue and productive irrigation works. Mr. C. B. Pradhan moved a token cut of a rupee under working expenses. He complained against the enormous working expenses of the Irrigation Department. Thakur Chaddilal pointed out that the tenants did not get much benefit. Huge amounts were wasted by the department in spite of the fact that there were several experts in charge of it. The people, said the speaker, was afraid of the department and it was the duty of the Government to so alter its method of working as to convince the people that the department was for their good. Mr. G. S. Gupta supported the cut and, on doing so, asked whether the Government was willing to appoint a special Irrigation Committee.

The Hon'ble Mr. Marten replied that the Government would be willing to appoint a Committee. He also explained the irrigation policy of the Government. The Government would appoint a Committee and take it into confidence, in regard to the whole irrigation policy so that the future work might be carried on under favourable conditions.

Mr. Gupta thanked the Finance Member for his assurance and said he was satisfied that there was no necessity for pressing the cuts. Mr. Pradhan considered the assurance satisfactory and the motion for cut was withdrawn.

Several other token cuts were also withdrawn. Discussion proceeded for sometime more under other cuts and the Council reduced the demand by Rs. 1,90,000 and voted the rest.

#### Ministers' Salaries Voted.

The demand under General Administration (transferred) Ministers' salaries was then taken up. Mr. Rajendra Sinha, Swarajist, moved a cut of Rs. 98,996 out of Rs. 99,000 provided, thus reducing the figure to Rs. 4. Mr. D. K. Mehta, Dr. Khare, C. G. Mera, Mr. Gole and several other Swarajists supported the amendment and criticised the Ministers for accepting office and explained that they had no faith in the reforms. The speakers also criticised the attitude of the Ministerialist Party and quoted the words of Mr. Jayakar in the Assembly to prove that the Government had done nothing to respond to the wishes of the people. The Swarajists hoped that the two Ministers would redeem their tall promises which they had given to the electorates though they themselves had no faith in the ability of the Ministers to achieve anything under the present constitution.

The Hon'ble Mr. Raghavendra Rao said that he did not question the right of the Swaraj Party to criticise them, but he asserted that the verdict of the electorates was in favour of working the reforms. He and his colleague, Mr. Deshmukh, accepted office because they were assured of sufficient power, initiative and responsibility by the Governor; but the moment they felt that they were not getting these things they would have no hesitation in giving up office. Salary was no consideration for them and they were prepared to abide by the decision of the Council on this matter. Mr. Rao said he always held the view that those who worked for the country need not live on the country and he had always acted up to that ideal and there was no reason for him to deviate from that.

Mr. B. G. Khaparde defended the *bona fides* of the Nationalist Party and pointed out that this party dictated the personnel of the Ministry. Members of this party disagreed with the Congress Party and fought the election on the issue of working the Reforms and they had entered the Council in a majority. The party proved that the

ships were in the gift of the people. Mr. Khaparde announced that the National Party had come to a unanimous discussion on the question of Ministers' salaries.

Mr. Gupta, Swarajists leader, said that whatever support the Ministers may be receiving now was due to the agitation and the pressure of the Swarajists during the last three years and not due to the Responsivists. After some more speeches the Swarajists' amendment to reduce the salaries of Ministers to Rs. 4 was put to vote and lost, 16 voting for and 46 against. Both the Ministers remained neutral.

After the Swarajists' amendment regarding the Ministers' salaries was thrown out, the Council further discussed the salary question. There was a proposal to fix the Minister's salaries at Rs. 2,000 per mensem each. Mr. Dick, nominated member, supported the proposal. This was rejected by the Council, 18 voting for and 41 against. Eventually a motion fixing the salary of the Ministers at Rs. 3,000 per mensem each was carried by the Council.

#### Censure Motions on the Government.

On the 15TH MARCH the House cut down a demand for administration of justice by Rs. 15,000 on the ground of economy.

The House then censured the Government on its policy regarding the appointment of Honorary Magistrates and the Government's negligence in giving effect to the wishes of the House regarding separation of the Executive from the Judiciary by carrying a cut of Rs. 1,000.

The Government was further censured on its administration of Police Department, the House having carried a cut of Rs. 40,000.

The House further recorded their protest for having kept European Education (Reserved) by carrying one rupee out in the demand for Education (Reserved.)

The House also ventilated its many grievances regarding educational policy with regard to the transferred side of the department and carried a cut of Rs. 1,000.

The House also censured the University Law College authorities for unjustly rusticationing a student, by refusing to increase the grant. Voting was 31 against 19. Many Swarajists did not vote.

The House also refused to sanction Rs. 6,275 for the Personal Assistant to the Director of Public Instruction and censured the High School Education Board for its policy towards vernacular medium and carried a cut of Rs. 100.

#### Voting on Budget Demand Concluded.

After lunch the Council proceeded with the consideration of the remaining demands. As the days allotted for the discussion and voting on demands were over, the President put the demands to the vote. Out of a demand of Rs. 1,33,060 under the head "Education (Reserve)" Rs. 1,32,999 was voted. Out of the total demand Rs. 51,27,777 under the head "Education (Transferred)" Rs. 51,15,402 was voted. The total demand of Rs. 12,30,000 under the head "Medical (Transferred)" was voted. Out of the total demand of Rs. 3,23,600 under the head "Public Health (Transferred)" Rs. 3,13,600 (?) was voted. The total demands under Agriculture, Industries, Miscellaneous Civil Works Superannuation Allowances and Pensions, Stationery and Printing expenditure in England, Capital outlay on forest works, productive irrigation works, famine insurance fund amounting to Rs. 26,25,000, loans and advances and refunds of revenue, amounting to Rs. 2,22,191 were put to vote and carried, all cuts being withdrawn. The Council then adjourned.

#### Transaction of Official Business.

On the 16TH MARCH the Council voted some supplementary demands.

The Public Gambling (Central Provinces Amendment) Bill was introduced without any dissenting voice.

The Central Provinces Primary Education (Amendment) Bill introduced by the Hon. Mr. Raghavendra Rao was passed.

The Hon. Mr. Martin introduced a bill to provide for the consolidation of agricultural holdings and moved that it should be referred to a Select Committee. The House was divided in giving support to the Bill immediately and it was decided that the Bill should be published and circulated to ascertain public opinion.

The Council was then adjourned.

#### Scheme for Mass Education.

On the 21ST MARCH Mr. K. P. Vaidya moved a resolution that the Government should allot Rs. 15,000 towards a scheme of mass education.

Several non-official members supported the resolution. Mr. Jaiswal moved an amend-

ment that the scheme should be referred to a committee to be appointed by the Education Minister.

Mr. Beckett, Director of Public Instruction, pointed out that he was not against adult education. Instead of the Council agreeing to grant money for a particular scheme, Mr. Beckett suggested that the whole scheme of adult education should be examined by a committee. Some non-official members supported Mr. Beckett's proposal.

The Hon. Mr. Raghavendra Rao, Minister for Education, said that the best way would be to get any scheme for mass education examined by a committee. If the House passed the resolution, responsibility for the success or failure of the particular scheme placed before the Council would rest with the Council.

Eventually the Council decided to refer the question to a Committee.

#### Government's Exodus to Hills Opposed.

On the 22ND MARCH non-official business was resumed in the Council. Mr. K. P. Pande's resolution that the Headquarters of the Government be not moved to the Hill Stations during summer and the months of September and October was carried by a large majority in spite of the opposition of the Hon. J. T. Marten.

#### A Medical College for the Province.

Dr. N. D. Kharn moved a resolution recommending to the Government that steps should be taken to establish a medical college in these provinces as early as possible. The mover said that the Province should be made self-contained in every respect.

Mr. G. S. Gupta, Swarajist, moved an amendment that the proposed medical college should also include an ayurvedic section.

There was another amendment from Mr. Thakur Chedilal to the effect that a committee should be appointed to formulate a scheme for establishing a medical college on modern lines.

Col. K. V. Kulkley, Inspector-General of Civil Hospitals, while not opposed to the resolution, drew attention to the various essentials of a medical college.

The Hon. Mr. Raghavendra Rao, Minister, said that the Government was prepared to accept the resolution as amended by Mr. Thakur Chedilal. The Minister also added that he will investigate into the possibilities of the ayurvedic system also.

Eventually the amended resolution recommending the appointment of a committee to formulate a scheme for the establishment of a college inclusive of an ayurvedic section was carried.

#### Removal of Sex Bar.

Mr. Charlie moved a resolution recommending to the Government that the sex disqualification for the registration as voters in the electoral rolls of the constituencies sending representatives to the Council and also for election or nomination to the said Council be removed in respect of women generally in the Central Provinces and Berar.

Several speeches were made in support of the resolution.

Mr. C. N. Trivedi opposed the resolution and pointed out that women should engage themselves in maternity and child welfare and social reform.

The Hon. Mr. S. B. Tambe, Home Member, said that the Government would take no part in the debate. The decision entirely rested with the Council. But at the same time the Hon. Mr. Tambe placed certain difficulties such as bringing women to the polls for the consideration of the House.

After some more discussion the resolution was put to vote and declared carried.

#### Honorary Magistrates' Appointment.

On the 23RD MARCH the non-official resolution moved by Mr. Gole recommending to the Government the appointment of a district advisory committee for selection of honorary magistrates was taken up for discussion. It was opposed by the official members on the ground that the political parties in power holding strong views should not be invested with the power of recommendations.

The motion was put to vote and declared carried, 31 for and 25 against.

#### The Settlement Bill.

Mr. Mehta moved a resolution recommending to the Government for placing the Settlement Bill before the Council and, pending final consideration, no new settlement be undertaken and all settlements now in progress be suspended.

The resolution was declared carried, 27 against 15.

Some miscellaneous resolutions, relating to the improvements of roads, etc., were under discussion when the Council adjourned for lunch.

**Abolition of Divisional Commissionerships.**

After lunch the Council proceeded with the non-official resolution recommending to the Government to take proper steps to abolish the posts of Divisional Commissioners in this province. The Hon'ble Sir J. T. Marten, in opposing the resolution, said that wholesale abolition of the posts of the Commissioners was inconceivable; but the Government would consider the reduction of one post, if so desired. The resolution was put to vote and declared carried 85 against 15.

**Amendment of Local Self-Government Act.**

Leave was granted to introduce Thakur Chhedilal's Central Provinces Local Self-Government (Amendment) Bill which, after a lengthy debate, was decided to be circulated for ascertaining public opinion.

**Sale of Country Liquor.**

Mr. Gokulchand Singal then moved a resolution recommending to the Government to stop the sale of country liquor in the rural area of Damoh District from January next.

Mr. De opposed the resolution on the ground that the consumption of foreign liquor would be increased if the sale of country liquor was stopped and people would take to illicit distillation.

The Hon'ble Mr. Raghavendra Rao, Minister in charge of the Excise Department, assured the House that he would personally investigate into the matter, as the mover raised a question affecting Government's excise policy. The resolution was put to vote and declared carried by 29 against 11 votes. The House then adjourned.

**Governor's Certification.**

Out of a total sum of Rs. 15,84,897 under various heads refused by the C. P. Council H. E. the Governor certified amounts totalling Rs. 8,17,859 as essential to the discharge of his responsibilities for administration. The details are as follow: Rs. 6,50,000 under the head Land Revenue (Reserved); Rs. 19,250 under the head Forest (Reserved); Rs. 1,42,699 under the head General Administration (Reserved); and Rs. 5,910 under the head Police (Reserved). The Government resolution says that the remaining reductions made were in the nature of token cuts which will be considered by the Government in due course. The reduction under the head Land Revenue would be throwing out of employment 445 Government servants, permanent or temporary. It is also obvious that if the trained settlement staff were disbanded it would be difficult to assemble it again later on.



## B. & O. Legislative Council.

The first meeting of the Third Reformed Bihar and Orissa Legislative Council was held at Patna on the 13th JANUARY 1927. After swearing in of members the Chairman announced that His Excellency the Governor has approved of the election of Khan Bahadur Khwaja Mahomed Noor as the President of the Council. The new President then took the chair and various sections of the House and party leaders joined in congratulating him on his election. The Council then adjourned till next day when Mr. S. M. Mahanty was elected the Deputy President of the Council.

### The Governor's Speech.

On the 14TH JANUARY, addressing the new Council, His Excellency Sir Henry Wheeler said that it had been his good fortune to have been associated with two Legislative Councils during his term of office and he rejoiced to believe that working together, they had been able to do something for the benefit of the people of the province. He could only hope that that record might continue to be maintained. The sole wish of the whole Government, added His Excellency, was to further the progress of Bihar and Orissa and they asked their whole-hearted help in their efforts towards that end. Personally, he would only see the start of their career but the beginning not infrequently defined character of the whole and so long as he remained here, he would follow their proceedings with deepest interest and with the earnest hope that they might prove to be wise, fruitful and beneficial.

Congratulating Khan Bahadur Khwaja Mahomed Noor on the election as the President of the Council, His Excellency expressed the hope that his tenure of office might be smooth and successful. The Khan Bahadur, said His Excellency, had already given practical evidence in the past Councils of his fitness for the post to which, therefore, he did not come untried. It must be gratifying to him to feel that he continued to enjoy the confidence of his fellow members. Sufficient experience of the new Councils had now been had to demonstrate to all the importance of the presiding officer. To him was entrusted the duty of ensuring that the proceedings of the Council were conducted in a dignified and orderly fashion and he had a right to expect fullest co-operation of all members irrespective of party in discharging this responsibility.

### Voting on Supplementary Demand.

On the 17TH JANUARY public galleries were fully packed in view of the interest aroused in the constitutional issue raised by the Swarajists over what they thought was a violation of the constitutional convention by the Ministers in accepting office without commanding a majority of elected members of the Council and not advising the Governor to call upon the leader of the Swaraj Party (which according to them was the largest party) to form a Ministry.

Opportunity was taken by the Swarajists to discuss this question under a motion for supplementary demand for providing Rs. 12,000 for teaching accommodation for the Jamshedpur Technical School. The debate lasted for the whole day. Mr. Sri Krishna Singh, leader of the Swaraj Party, stated that constitutionally the Ministers had no business to continue in office when they did not have behind them the support of a majority of elected members. They could not exist merely on the supports of official and nominated members.

The Hon'ble Sir Fakhruddin (Minister of Education) replied that he knew no instance in the British constitution in which a leader had refused to form a Ministry when called upon by the King to do so. Though he believed that dyarchy was not perfect, they should at any rate work it to point out the defects therein in order to rectify them and gain more powers. Personally he was prepared to resign it, provided the Swarajists were also prepared to accept office and shoulder the responsibility.

On division being called the motion for supplementary demand was carried by 48 votes against 33 of the Swarajists. The Council then adjourned till the 14th February.

### Budget for 1927-28.

On the 14TH FEBRUARY the Hon. Maharaja Bahadur Keshav Prasad Singh of Dumraon, Finance Member, made his first budget speech in the Council while presenting the

budget estimates for 1927-28. At the outset the Finance Member emphasised the fact that the system of public finance should not only be well-designed but well-understood and judiciously maintained and it was in every way to be desired that people's representatives in the Council should realise their responsibilities with regard to it and the close connection between the financial proposals of the Government as set forth in the budget and the practical well-being of silent millions whom the represented.

#### Receipt and Expenditure.

Coming to the budget proper and financial position of the province, the Finance Member stated that they anticipated starting the current year with a balance of just over 3 crores but when the final accounts were made out they proved to have a balance of some Rs. 30 lakhs more than they expected, the figure being Rs. 2,34,37,000 including the ordinary balance available for general purposes of Rs. 1,68,13,000 and Rs. 56,24,000 in the Famine Insurance Fund. The difference was principally due to the revenue of the last year being Rs. 11 lakhs above and expenditure debitable to revenue Rs. 9 lakhs below the revised estimate of that year. During the current year they now anticipated that revenue would amount to Rs. 5,72,01,000 or about Rs. 9 lakhs more than the budgeted figure of Rs. 5,63,55,000, while on the other side of the account they anticipated that expenditure debitable to revenue would amount to Rs. 6,13,18,000 or about 1 and three-fourth lakhs more than the figure of Rs. 6,11,59,000 originally anticipated and provided in the current year's budget. Whereas their total revenue was expected to amount to Rs. 5,67,42,000, their total expenditure debitable to revenue omitting provision for new schemes was expected to amount to Rs. 5,85,21,000 or about 18 lakhs more than their revenue. The corner stone of their financial edifice was the relation between their revenue and revenue expenditure and it would therefore be at once recognised that there was ground for serious thought when they would have to enter upon the new year with their existing liabilities well ahead of their revenue. He, however, maintained that the outlook was not so gloomy as it might at first sight appear and so would sum up the situation by saying that failing a breakdown of excise revenue their prospects should improve during the next three years but owing rather to reduction of expenditure than to increase of revenue. In their present position, it was not considered safe to incur new expenditure to the extent of more than 17 and three-fourth lakhs. Of the money available for new schemes 5 lakhs and 19 thousands had been allocated to the Reserved and 12 lakhs and 87 thousands or more than twice as much to the transferred. Taking all these proposals their total revenue expenditure would amount to Rs. 61,47,000 and total expenditure to Rs. 6,84,01,000. They would thus close the year with the balance of Rs. 1,44,25,000 of which Rs. 81,15,000 would be in Famine Insurance Fund while their ordinary balance would amount to only Rs. 63 lakhs.

Concluding, the Finance Member said that they had a series of good years and Government in their wisdom had taken full advantage of them. What were visions in 1912 were now solid realities. They had a University, a Medical College and an Engineering College. Schools and hospitals had been increased and improved beyond all knowledge. Nearly half a crore of recurring expenditure on the transferred nation-building departments had been incurred during the last four years. But it was obvious that the poorest province in India could not go on indefinitely adding to its permanent burdens at this rate. He hoped that this time next year, the outlook would be brighter than it was to-day.

#### Self-Government in Chota Nagpur.

On the 18TH FEBRUARY a long discussion centred on the first non official resolution on the agenda paper demanding that the privilege of electing non-official chairmen should be extended to district boards in Chota Nagpur.

Babu Sri Krishna Singh (leader of the Swaraj Party) moving this resolution said that Chota Nagpur was unjustly deprived of an important political right. The Local Self-Government Act was intended to train people in the art of self-government and it had a great direct influence on public life, as people in villages were directly connected with affairs of district boards and they properly understood them. He traced Lord Ripon's policy with regard to local self-government in India and pointed out that it was his genuine desire to see that the cause of local self-government advanced in this country. He hoped that the Council would register its verdict in favour of the resolution.

Rai Bahadur Sarat Chandra Ray moved an amendment that the board should be empowered to elect chairmen from among themselves, official or non-official, or from outside.

Babu Bridhar Samal (Depressed Classes) opposing the resolution said that it would be to the advantage of the people of Chota Nagpur that the Government were the custo-

dians of their interests. When the proper time came the Government would give them that privilege. He complained of the disabilities imposed upon them by the higher castes and pointed out that no regard was paid by them to their interests. Only Government and the Christian missionaries had done something for their advancement.

Mr. Sifton (Chief Secretary) on behalf of the Government stated that he was surprised at this demand being put forward by B. hari and Oriya members who had their own pressing questions to consider. His observations were based on personal knowledge and not on abstract theories. He had worked in Oota Nagpur in his official capacity for 10 years and he had therefore come into close connection with the people there. For the backward areas the Government was a person, and as their motions did not extend beyond the limits of the district and their vision was restricted the Government was de facto the District Officer. On account of their backwardness the Government was bound to take care of those classes. Mr. Hammond pointed out that they had official chairmen to protect colliery interests and to see that justice was done to colliery owners.

The amendment was lost and the main resolution was carried, 52 voting for and 39 against it. The Council then adjourned.

#### Committee to Enquire into Coal Depression.

On the 21ST FEBRUARY the coal industry and the Santhal Parganas district figured in the debate in the Council, when two non-official resolutions were moved demanding a committee of enquiry into the causes of the heavy depression in the coal industry in the Province and extension of the operation of the Local Self-Government (Amendment) Act (1923) to the district of the Santhal Parganas.

Babu Jagat Narain Lal, pleader, of the Independent Congress Party, moved a resolution urging the appointment of a committee of enquiry into the causes of the heavy depression in the coal industry with a view to suggesting means to remove them. Within the year 1924-25, 156 companies had closed down. The industry had been greatly handicapped owing to enhanced railway and shipping rates.

Babu Gur Bahay Lal moved an amendment that enquiry be made with special reference to the lowering of the by-product relating to coal.

Mr. Devaki Prasad Sinha pointed out that such a committee would be futile, as the remedy of the causes lay with the Government of India, and the Local Government had nothing to do with the question involved.

Mr. Lewis (Revenue Secretary) explaining the attitude of the Government, said that the resolution raised an all-India issue with which the Local Government was not concerned. The depression was not due to local facts. On the assurance given by Mr. Hammond, leader of the House, that a small committee would be acceptable to the Government, under certain limitations, the resolution was ultimately withdrawn.

Babu Ram Dayalu Sinha, Swarajist, moved that operation of the Local Self-Government Act be extended to the Santhal Parganas.

Mr. Hammond, on behalf of the Government, opposed the motion and observed that the Santhals were a simple and credulous people, and they needed protection, firstly, from the pressure of landlords, secondly from moneylenders, and thirdly from the evil of litigation.

The resolution was carried by 41 votes to 38.

#### Administration of Sone Canals.

On the 22ND FEBRUARY, Kumar Rajiva Ranjan Prasad Sinha moved a resolution demanding a committee of enquiry into the grievances of cultivators in regard to the administration of the Sone Canals and to suggest measures for affording relief. The grievances were mainly enhanced water rates, insufficiency of water supplied, irregularity of supply and relaxation of supervision over the subordinate staff of the canals. Rai Bahadur Bishun Swarup, Chief Engineer, replying on behalf of the Government, stated that during the years 1923, 1924, and 1925 the Government convened three conferences of officials and non-officials to suggest all possible improvements with regard to the administration. Constant efforts were made to enquire into the complaints made and the Government had done everything that could reasonably be done to meet them. Under the circumstances there was no necessity for a committee.

The resolution was ultimately carried without a division.

Another resolution, which occupied much time, was regarding the improvement in the pay and prospects of members of the subordinate educational service, several members representing that these men were poorly paid. The resolution was carried by 36 votes to 32.

#### The Budget Discussion.

General discussion of the Budget commenced on the 24TH FEBRUARY and continued till the next day. On the last day in summing up the discussion the Hon'ble

Maharaja Bahadur of Dumraon, the Finance Member, claimed that the nation-building departments had been more generously treated in Bihar than in any other province in India. He stated that since the introduction of reforms, the total expenditure that has been incurred on new schemes on the reserved side was Rs. 4,17,000 recurring and Rs. 47,66,000 non-recurring. On the transferred side corresponding figures were Rs. 1,33,50,000 recurring and Rs. 1,38,67,000 non-recurring. Again comparing the expenditure of 1931-32 with those of 1937-38 excluding non-off-cive charges, they found that there had been an increase of only 11 per cent under Reserved side, while under Transferred, the increase was one of 55 per cent. They had incurred nearly half crore of new recurring expenditure on the transferred departments. He did not believe that there was any other provinces in India that could show such a record.

### Voting on Budget Demands.

On the 5TH MARCH the Council voted three budget demands of Rs. 21,66,508, Rs. 29,32,118 and Rs. 3,04,593 in respect of land revenue, excise and stamps respectively. A token out of Rs. 100 was moved on the excise demand to urge the prohibition by the Government, but was ultimately rejected. The Government pointed out that the policy of total prohibition was not feasible from a practical point of view although the Government had always aimed at a policy of maximum revenue and minimum consumption.

### Acquisition of Private Forests in Chota Nagpur.

On the 7TH MARCH by 55 votes to 33 the Council refused provision of Rs. 1,00,500 for acquisition of private forests of Chota Nagpur. Non-official members who moved omission of this item urged that acquisition of these forests meant encroachment upon the rights of land-lords and tenants and the Government should not follow this policy of acquisition. The Government replied that rapid denudation of private forests of Chota Nagpur had become a matter of serious public concern and the only effective salvation of these forests lay in acquisition. The Government was, therefore, aiming at conservation of the forests which would in course of time prove to be remunerative as well as of great utility in removing one of the causes of floods in Orissa.

### Censure Motion on Ministers Defeated.

On the 8TH MARCH the Swarajist members in the Council raised once again a constitutional debate in moving a token out of Rs. 100 on the demand for Ministers' salaries.

Baba Niren Narayan Singh (Swarajist) who moved the cut said that the motion was intended as a vote of censure against the present Ministers and against the Ministry. His first grievance against the Ministers was that they violated the very spirit of the constitution in accepting the office without enjoying the confidence of a majority of elected members and in not advising His Excellency the Governor to invite the Swaraj Party which he claimed was the majority party. The constitution meant that Ministers should depend on a majority of elected members. No instance, continued the speaker, could be found where Ministers had violated the constitution in such a manner. He contended that the Ministers had not enunciated any definite policy in their term of office. It was a great slur on the province that no capable men could be found to replace these Ministers who had been appointed for the third time. Thus the members other than the Swarajists were refused the opportunity of shouldering the responsibility.

Baba Lakshmidhar Mahantbi (Orissa), supporting the motion, complained that Orissa had not been given a proper share in the administration of the province and put forward the claims of Orissa for a third Minister.

Babu Bhagwati Saran opposed the motion as he thought that the present Ministers who had done good work should not be censured like that.

The Hon'ble Mr. Hammond, speaking on the motion, said that the Ministers should enjoy the confidence of the House as a whole. The Ministers had discharged their duties to the satisfaction of the elected members of the Council. As regards the suggestion for the third Minister for Orissa, he said that in the first Reformed Government they had a Minister from Orissa. He pointed out that the representation on the Ministry on the basis of claims of localities and communities was destructive of the development of a true sense of nationalism. It was wrong to say that the claims of Orissa had not received due consideration. He thought that it was not the proper time for the Orissa members to raise this side issue. The Ministers had discharged their duties to the best of their ability and enjoyed the confidence of the Council as constituted.

Khan Bahadur Mahmud Naim, opposing the motion, said that the whole idea of the Swarajists was to wreck the constitution and make the Government impossible as

they had come with a definite pledge not to accept office. It was, therefore, the duty of those members who had come to work the Reforms to support the Ministers who had done excellent work and enjoyed the fullest confidence of members of the House barring the Swarajists.

Babu Rajendhari Singh, opposing the motion, said that the Ministers had not violated the constitution: as they knew they enjoyed the confidence of the people.

The Hon'ble Mr. Ganesh Dutt Singh (Minister for Local Self-Government), replying, said he knew that as a Minister, he was not a permanent fixture nor would those who succeeded him. The Orissa members wanted a third Minister and that was why they had joined in the motion for censure. But that was for the Government and His Excellency to decide. He knew that the Swarajists had their block in the Council, but barring them, he claimed that he and his colleague, Sir Syed Mahomed Fakraddin, had a larger following than any other members in the Council.

The Hon'ble Sir Syed Mahomed Fakraddin, Minister of Education, replying, said that after six years of strenuous work to advance the educational progress of the Province, he found that expressions and gestures were used against him which were highly disappointing. It was said that ministership was sweet and tempting to him. He would tell them that it was not sweet but sour. (A voice: Why not resign it?) He had a high position in the Bar with no ministerial responsibility and worries. The Oriya members said that they had nothing personally against the Minister. If so, why should they join in this motion of censure which challenged the character and honour of Ministers? It was wrong to say that Ministers had violated the constitutional convention.

#### Motion Lost.

On a division the motion was ultimately rejected by 44 votes to 37. Members from Orissa kept neutral.

#### Government House Garden Parties.

By a majority of 54 votes to 23, the Council rejected and dissociated itself from the motion for a token out of Rs. 100 for provision for staff and household of H. E. the Governor.

Mr. Devaki Prasad Saha (Independent Congress Party) who was the author of this motion criticised the management at garden parties of the Government House and asserted that a distinction was drawn between Indian and European guests. A number of members made speeches dissociating themselves from the motion.

The Hon'ble Mr. Hammond (leader of the House), replying, said that His Excellency the Governor accepted full responsibility for the management of his parties and he did not desire that any official member should defend the household management on the floor of the House. He continued that in discussing this they could not separate the host from hospitality. He pointed out that there were two kinds of guests, one who accepted the hospitality and the other who, on political considerations, did not accept it. But the mover wanted to create a third kind of guests to which India was unaccustomed and the House resented as they enjoy the hospitality and would at the same time criticise and cavil at it. The Council then adjourned.

#### Ministers' Salaries Voted.

On the 9TH MARCH by a majority of 53 votes to 35 the Council rejected another Swarajist motion for the total omission of the provision of Rs. 1,15,911 for the Ministers Swarajists tabled this motion against the dyarchical system of Government.

Mr. Krishna Ballab Sahay, Swarajist, who moved for the omission of this provision pointed out that the Devolution Rule 6 entitled the Governor-General to suspend or revoke the transferred department. Rule 10 made the services not subordinate to the Ministers but to the Governor. Section 53 (3) made the Ministers mere advisers. Section 73 entitled the Governor to withhold his assent from any act of the Council and Section 73 directed that no appropriation of revenues could be made except with the consent of the Governor. How could a Minister be said to have any powers? While other countries, continued the speaker, have completed the progress of literacy, India had progressed from 2.1 in 1891, to 5.1 in 1921 and to 5.6 in 1925. At this rate literacy would be complete in 50 years. Bihar made less progress than India as a whole. Technical education had been started long before the Reforms. If the Reformed Government could boast of engineering and medical colleges the pre-Reform Government could boast of the Govt. of India Act which had given more powers to the Governor and made Ministers powerless.

Mr. Sridhar Samal (Depressed classes) opposing the motion said that the question of Hindu-Muslim, Brahmin-Non-Brahmin differences had to be settled before they demand

Swaraj. It was wrong to say that the Reforms had not given them anything. He thought that the constitutional advance should be in stages.

Mr. Sri Krishna Singh (leader of the Swaraj Party) supporting the motion said that he had got the highest respect for the Ministers; but he condemned the system of diarchy. He contended that the Government of India Act had given the Governor greater powers with regard to the transferred departments. The Governor dealt with the Ministers separately and overruled them when he happened to differ from them. Then he urged that the Ministers be given a free hand with regard to the administration of the transferred departments. He then pointed out that they had not the power of the purse. By the Reforms there was no change in the system of administration and the administration had become more expensive. This was admitted even by the Ministers in their memorandum to the Reforms Enquiry Committee. By not allowing this system to continue they would show that this Government was not carried on by the consent of the people. He asked them how they could sanction a system of Government which had no real powers. Some members saw the hand of the wrecker in this motion, but posterity would judge if their action was not guided by national impulse.

Mr. Chandreshwar Prasad Narayan Sinha opposing the motion said that there was no reason why a section of the people having faith in working the Reforms should be obstructed by another section which had no faith in it.

Rai Shriaj Krishna (Swarajist) supporting the motion asked if 6 years of working the Reforms had not revealed to them that it had nothing in it.

The Hon. Sir Syed Mahomed Fakhruddin, Minister of Education, replying, said that his views about diarchy were well-known. He admitted that there were defects in it and that Ministers had to work under various restrictions. He himself wanted that the system should be changed. They had on their part inspite of these restrictions and limitations done their best. He then referred to the educational progress made in the province.

The motion was ultimately rejected by 53 votes to 35. Then the whole demand of Rs. 50,99,515 under general administration was put to vote and agreed to. The demand under Administration of Justice was being discussed when the Council adjourned.

#### Demand under Justice and Jails.

On the 10th MARCH the Council voted demands of Rs. 29,75,694 and Rs. 17,06,788 for administration of justice and jails and convict settlement respectively. There was a discussion on a token cut of Rs. 100 proposed on the administration of justice in the course of which the members called attention to the delay in giving effect to the proposal of separation of the judicial and executive functions and urged the appointment of a Muslim Judge on the bench of the Patna High Court. It was replied on behalf of the Government that the recommendations of the local Government with regard to the proposal of separation of judicial and executive functions were under consideration of the Government of India and the Government would in future most carefully consider the propriety and desirability of appointing a Mussalman as a High Court Judge. The motion was ultimately withdrawn. The demand under "Police" was being discussed when the Council adjourned.

On the 11TH MARCH the Council voted a number of budget demands for grants including Rs. 73,84,187 for Police and Rs. 1,39,791 for Education (Reserved) respectively. His Excellency Sir Henry Wheeler and Lady Wheeler were present in the Distinguished Visitors Gallery.

#### Primary Education in Bihar.

On the 14TH MARCH the Council discussed the Swarajist motion for a token cut of Rs. 100 in the demand for education (transferred). A number of members including Mr. Ramdayal Sinha, mover, Mr. Nirsu Narayan Singh and Mr. Mubarak Ali took the opportunity to discuss the education policy and call attention to specific questions connected with it. The mover and Mr. Nirsu Narayan Singh centred their criticism on primary education which they considered had not sufficiently advanced and urged that local bodies should be given free discretion to work out the education policy regarding primary education. Mr. Nirsu Narayan characterized the policy as detrimental to the interests of the people and asserted that, during the last 6 years, Ministers of Education had not laid down any definite policy with regard to primary education which was most essential for educating the masses.

Mr. Mubarak Ali drew attention to Moslem education in the province and demanded that fair treatment should be accorded to it.

Hon. Sir Fakhruddin, Minister of Education, replying, assured the members that it was not his policy to impose any restrictions upon local bodies with regard to any pro-

gramme of primary education. He would be the last person to interfere with the discretion of the local bodies in working out a programme. If any restrictions had been put, they had been put from *some* *side* motives. It was the desire of the Government to see that primary education was spread as quickly as possible. But the whole question was about funds. The Hon. Minister had not concluded his speech when the Council adjourned.

#### Mr. Hammond Congratulated.

On the 15TH MARCH, the Council reassembling, members from all sections and party groups took opportunity to congratulate the Hon'ble Mr. Hammond (leader of the House) on his new appointment as Governor of Assam.

Mr. Sri Krishna Singh, leader of the Swarajya Party, Messrs Mubarak Ali, Devaki Prasad Sinha and Sri Krishna Mahapatra and others participating in chorus of congratulations wished Mr. Hammond success in his new exalted office.

The Hon'ble Mr. Hammond thanked them in reply and said that he was very sorry to leave Bihar with which he had old associations.

#### Voting on Budget Grants Concluded.

To-day was the last day for voting on Government Budget demands for grants. At five in the evening the guillotine was applied and all the remaining Government demands were put to vote and carried. The Council adjourned till next day when supplementary demands were taken up.

#### Sir H. Wheeler's Farewell Address.

On the 16TH MARCH, in his farewell address to the Bihar and Orissa Legislative Council, His Excellency Sir Henry Wheeler said that he did not leave the province in a state of financial despondency in which he found it and he regarded it with satisfaction that they, under the constitution as it stood, whatever might be their views regarding it, had been able to do some work of value. Relating the parable of the Stranded wayfarer, His Excellency exhorted them to face facts, shoulder loads, welcome the help of all who offered it, trust to a wise leader and disregard false guides and set forth along the winding road in good heart and with single-minded sincerity of purpose and the dawn would see them home. He assured them that they had many official well-wishers on their journey. Some of them perchance were apt to regard them as the hosts of the maldan prowling round and round, others to resent it when they deprecated short cuts or pointed out false trails. But officials, he continued, had already shared the fatigue of many a hot, long and dusty march and they offered them their help on the remainder of the way.

Concluding, His Excellency said that they had come to a stage together and his good-will went with them on the rest of the route. To all who had helped in accomplishing whatever during the last five years had been achieved, he offered his sincerest personal acknowledgments and his parting wishes were for the welfare of them all and of the province which he had endeavoured to serve.

#### Voting on Supplementary Grants.

After going through the last day's programme and voting a number of supplementary demands for grants which occupied the whole day the Bihar and Orissa Legislative Council adjourned to-day "sine die."

# The Burma Legislative Council.

The Budget Session of the Burma Legislative Council was opened by H. E. the Governor on the 24TH JANUARY 1927. There was a large attendance of members. The visitors' gallery was also full. There was a large crowd in the vicinity of the Council to greet His Excellency.

In addressing the Council His Excellency spoke on the advancement of Burma and Rangoon. After referring to the visits of the Commander-in-Chief, Sir Basil Blackett and Sir Ronald Ross, he made a general survey of the condition of the province which he said was satisfactory. In the course of the survey he touched on agricultural expansion of maritime trade and progress made by the development trust, public health, branches on railway line, crime position, communications, university and recent despatch of expedition to the Triangle to abolish slavery. As regards agriculture, the Governor said there was a record rice crop and although harvests in Upper Burma had suffered, the general outlook was satisfactory. In maritime trade there had been great expansion in the year 1925-26. The number of ships which entered into the ports was 1676, as compared with 1894 of Bombay and 1194 of Calcutta. The net registered tonnage was 4 millions tons in Rangoon as compared with 4 and half millions in Bombay and about 2 and seven-eighths millions in Calcutta. Rangoon was now the second port in the Indian Empire. Public health on the whole had been satisfactory and, in this connection, His Excellency referred to the presence of the British Social Hygiene Council Delegation in Rangoon and enquiries now being conducted by the Health Committee appointed by the local Government. Regarding railway branches, he remarked that the Government realised that the question of flooding was a very serious one and that no unnecessary delay would take place in taking action on the reports of the Committee which would be published shortly. The latest returns of crime, the Governor observed, were very encouraging, though the crime season was not yet in full swing and he was not disposed to prophesy. He thought they were proceeding on the right lines to bring crime back to reasonable dimensions. Murder, he said, had not yet shown an appreciable tendency to decrease; but the Committee appointed to tackle this difficult question would shortly submit its report. Here he testified to the excellent hard work of the District Officers and police forces in the suppression of crime. Communication, His Excellency pointed out, were steadily improving. He expected to get some return for the heavy outlay on the Mergalton Cantonment which should be ready for occupation in the next October. The University, he observed, was emerging from difficulties which beset its birth and everything was in the train for rapid advance. He gave the assurance that the Government would do all in its power to assist the University to an early completion of its building schemes. His Excellency spoke on the recent Darbar held at Myittha and on the setting out of Mr. Barnard and his assistants on the detailed work of the emancipation of slaves in the triangle. He trusted that this would be carried out promptly and successfully and the blot on the fair name of the Province would be removed. In this connection His Excellency acknowledged the great assistance received from Lord Irwin and Sir Basil Blackett.

Concluding he referred to the great importance of the Session, this being the last over which Sir Robert Giles presided. He thanked Sir Robert for the services rendered to the Province and felt that it would be hard to find successor to him.

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## The Budget for 1927-28.

After the Governor had left the Council, there was a short interval when the Council resumed its session. New members including Mr. U. Mg. Gye, ex-Education Minister were sworn in. The Finance Member then presented the budget.

The budget sanctioned by the Legislative Council in March 1926 assumed the opening balance of Rs. 2,82,50,000 receipts amounting to Rs. 10,67,88,000 and an expenditure of Rs. 11,81,86,000 (of which Rs. 2,03,82,000 was cleared as capital expenditure) and a closing balance of Rs. 68,28,000. The opening balance fell short of the estimate by Rs. 89,57,000. The year 1925-26 was considerably less favourable to the agriculturist than the previous year and although receipts exceeded expenditure, it fell short of the estimates adopted in March 1925. The surplus was below anticipations during the current year. So far as can be seen at present and despite the facts that rains have been normal,



the estimates both of receipts and expenditure which were adopted last March will be worked up to within the exception. Provision was made under debt heads for a loan of Rs. 65 lakhs. to the Bangoon Port Trust. The Commissioners have decided to raise a loan in the open market and provision for the loan will not be required. On information as present available, it has been estimated that the closing balance on the 31st March 1927 will be Rs. 90 lakhs or Rs. 21,75,000, more than the estimate. This amount of Rs. 90 lakhs has been adopted as the opening balance in the budget for 1928.

#### Estimates for 1928.

For the purpose of the budget for the coming year, continuance of the existing taxes is assumed. It is estimated the ordinary revenue receipts will amount to Rs. 10,38,34,000 and ordinary expenditure charged to revenue to Rs. 10,08,84,000. It is proposed to incur a capital expenditure amounting to Rs. 2,58,61,000, of which one Rs. 1,29,11,000 represents expenditure for which loans are not admissible under Debt Heads. Receipts anticipated are Rs. 80,75,000 (excluding the loan of Rs. 1,36,60,000 which it is proposed to take from provincial loans fund) and expenditure Rs. 28,44,000. Towards this there is available from the anticipated opening balance (excluding the amount to the credit of Provincial Famine Insurance Fund Rs. 1,26,000 which cannot be used for ordinary expenditure) only Rs. 88,74,000. It is proposed to bridge the gap by borrowing one Rs. 1,36,000 from Provincial Loans Fund of the Central Government less any remission of Provincial contribution which the Central Government may grant. This amount is less by Rs. 88,47,000 than the balance which is expected to be at the credit of the local Government on the 1st April 1927 on account of its loans and advances to local bodies, agriculturists and others and it will not be necessary to borrow for any specific purpose or to transfer from revenue to capital account any capital expenditure incurred in the past on the objects for which loans were admissible.

The financial position of the Province on the 31st March 1928 is thus:—It is estimated on the 31st March 1928 provincial balance will be reduced to Rs. 2,10,000. Balance at the credit of the Province on account of loans and advances by the local Government will be Rs. 1,72,88,000 and the Province will owe Rs. 1,36,00,000 to Provincial Loans Fund of the Central Government. The Province will be committed a large programme of expenditure on public works. It will be impossible to carry these to completion without borrowing some two and half crores annually. Charges on loans necessary to carry the programme through to completion could be met by the margin between ordinary receipts and ordinary expenditure supplemented by the entire remission of the provincial contribution; but it will be necessary to avoid further heavy commitments on non-productive schemes and to curb severely the present tendency to increase recurring liabilities.

The Finance Member pointed out that on the reserve side, increase in expenditure has been comparatively much less than on the transferred subjects and in support quoted figures. He paid a tribute to Mr. Booth Gravelly, Secretary, Mr. Gilliat, Additional Secretary, Rai Sahib Ashutosh Bann, Assistant Secretary and others of the Finance Department for their unstinted co-operation in the laborious task of the preparation of the budget.

#### Other Business.

The official business transacted after the presentation of the budget was the introduction of a Bill to determine the salary of the President of the Burma Legislative Council (Rs. 4,000). The Council then adjourned till the 1st February.

#### Foreigners' Marriage with Burmese Women.

On the 1ST FEBRUARY, discussion was resumed on the resolution for application of Buddhist laws to marriages contracted between Burman Buddhist women and foreigners. Mr. A. Eggar, Government Advocate, explained what the law on the subject was at present. He pointed out the objections which came in the way of carrying out such a motion. He thought the matter was of all-India importance and could have been better discussed in the Legislative Assembly though he doubted it ever would have met with much success there. If the intention of the mover was to protect ignorant Burmese women, the best means would be to start propaganda showing the dangers arising out of such marriages. He stated that codification of Buddhist laws was coming up before the Council and the mover would have then a better opportunity of moving an amendment to the main Bill to carry out his desire.

The Home Member said that the committee was now discussing the Bill and the mover could give his views to one of the three members of the Council on the Committee. He expected the Bill would be before the Council in the September session.

The resolution was then withdrawn.

## State Management of Burmese Railways.

The question of State management versus company management was the subject-matter of another resolution discussed in the Council. Mr. U. Pa, leader of the Home Rule Party, moved that this Council considers that the best interests of the provinces are in the present circumstances likely to be served by State management of Burma railways on the termination of the present contract and requests the local Government to take the opportunity of recommending this view to the India Government and the Secretary of State. The mover, in urging the reasons, said that practically they had no voice in the management and that Burmans were not given sufficient encouragement to join railway service.

A number of members took part in the discussion, most of them supporting State management.

The Finance Member informed the House that Government benches would not vote on the motion. In explaining this attitude, he said that a similar motion was disallowed last year by the Governor, the subject matter being central. This year the motion has been allowed as the India Government wanted to know the opinion of the local Government and the latter would like to be guided in this matter by non-official opinion in this House. According to the present arrangement, the contract with the Burma Railway would terminate on a year's notice. He asked the House to consider the disadvantages that may result from State management so long as Burma remains part of the Indian Empire. He also quoted instances of several countries where State management had not proved to be a success.

Mr. Crosthwaite, Officiating Agent of Burma Railways, spoke refuting the mover's reason regarding employment of Burmans and the Railway Advisory Committee.

The resolution was then carried without division. The Council then adjourned.

## Removal of Sex Disqualification.

On the 3RD FEBRUARY Mr. Thrin Maung, the Nationalist Party's chief whip, introduced a Bill for encouraging the national sports of Burma. It wanted to provide a permanent institution to be called national sports institution and association for Burma as a body incorporated with a common seal with the head office in Rangoon. The Bill stated that the association should have the power to take all lawful steps in any part of Burma for promoting field and aquatic sports and games or exhibitions of skill in which competition or display depends upon human endeavour without the aid of horse or other animals. The mover proposed referring the Bill to a Select Committee.

The Home Member, in opposing, said that the Bill would clash with the village and police acts and such associations could better be formed with private enterprise. The motion was put to vote and lost by 31 against 41.

## Removal of Sex Disqualification.

The next item on the agenda which evoked much interest was Mr. A Maung Gyeo's resolution recommending to the Government the removal of sex disqualification clauses from the Burma electoral rules. The mover described the important position occupied by women in Burma and the amount of freedom enjoyed by them both in the past and the present times. In many respects, he opined they were far ahead of the women in India. He pointed out to the advancement made by Indian women in the direction of political emancipation of the country and he could find no reason why Burmese women should have any bar on them. He thought their presence in the Council would be very useful during the discussion of such subjects as public health and sanitation.

After the resolution had been discussed for sometime by the non-official members, the Home Member, opposing the resolution, said Burma was never known to have a representative institution on western lines and women not being versed in western institutions of this kind, the resolution was, in his opinion, premature. He thought they would wait for the Statutory Commission and then place their views for the removal of such disqualification before the Commission. Though there were numerous women's associations all over the province, no representation has been received from them. He raised the question whether Pongyis would at all like to be legislated by women and expressed strong doubt. The resolution was pressed to a division and lost by 46 against 31.

## Closure of Rice Liquor Shops.

The only other item of business disposed of at the Council meeting on this day was a non-official resolution recommending to the Government to close all Hla-wa (rice liquor) shops in Burma on the expiry of their current licences. The resolution was lost. The Council then adjourned.

## General Discussion of the Budget.

On the 4TH FEBRUARY, the whole day was devoted to a general discussion of the budget. Nine non-official members participated.

Mr. U. PU, leader of the Nationalist Party, and ex-Minister, opened the debate by thanking the President for unflinching courtesy to his party and for his fairness and justice in dealing with the whole House on all occasions. He criticised the budget as a whole and pointed out how extensive retrenchment could be carried out first of all by reducing the number of officials. He said, that Yansamin water-supply scheme was the gigantic and did not approve of money being spent on it. The Government having paid no heed to the warning against squandering money, the result was the parlous state of finances of the province. He regretted nothing has been done so far regarding the suggested scheme of land mortgage bank. He criticised increased expenditure in police estimates. The burden of taxation, he said, was growing heavier and the Government was spending money lavishly instead of trying to reduce expenditure and to decrease taxation.

Mr. TYABJI (Swarajist) felt that the financial position of Burma was deplorable. The province did not possess a balance. If the Government intended to borrow, they would not be able to pay the loan next year whilst the expenditure was increasing. There was no corresponding increase in the revenue. Unproductive projects of civil works swallowed up large sums of money. He opined that a great deal of money could be saved by economy and expenditure.

Mr. Narayana BAO (nominated labour member) regarded it as the clearest budget. He had not the same horror for borrowing as other speakers so long as the finances of the province were sound. During the past few years, he said, Burma had made rapid strides specially in education. The budget had also made generous contributions to the building of hospitals etc. He asked the Government to enquire why excise licences were going up and to find out means to stop illicit traffic of liquor if it was a fact.

Mr. U. PU, leader of the Home Rule Party, also paid a tribute to the President. He agreed with the leader of the Nationalist Party in the criticisms made by him. He considered the working of the various departments unsatisfactory and urged systematic and rigid scheme of retrenchment. The country, he opined, was groaning under the taxation. He wanted the development of the country to be carried along lines beneficial to Burmans, such as increase in the number of co-operative societies and banks, further expansion of education etc., and not along the lines which facilitated outsiders to enrich themselves. He remarked that if the Government only took trouble to make people contented and happy there would be less crime and consequently less expenditure on the police force.

Mr. DUGLAVILLEGE, leader of the Independent Party, reminded the House that most of the civil works projects were started by Nationalists when they were in office and he left it to them to insist that these schemes be proceeded with. He saw that Mr. Tyabji wanted to cut down the expenditure in communications and devote money to cottage industries and agriculture. What could they do with their produce without communications? He regarded the criticisms made by opposite benches (Nationalist, Home Rule and Swaraj Parties) were destructive. With regard to the deficit of two crores in budget, he was in favour of issuing premium bonds.

## Official Reply to Criticisms.

On the 5TH FEBRUARY, members of the Cabinet replied to criticisms of the budget.

Dr. BA YIN, Minister in charge of Education, local Self-Government, Public Health and Excise, stated that the Government was doing its best to educate children of the country. He denied the allegation that the University of Bangon was the monopoly of the rich as described by one member. With regard to public health, the Government was also doing its best both for urban and rural population. He instanced some measures adopted to show that rural population's interests were not overlooked. He informed the House that the Government was collecting information for a scheme of benefit both to medical practitioners in indigenous system and to the country. The excise policy he remarked was not influenced by revenue consideration. So long there was the demand, the Government could not cut supply as such a policy would lead to illicit traffic. He quoted figures to show that there had been steady gradual expansion in the expenditure on transferred subjects.

Mr. L. AHYAIN, Minister in charge of Forest and Agriculture, referring to criticisms about the land mortgage banks said that detailed steps were taken to draft the bill for the purpose and he expected that he would present it to the House next August. Debarment scheme was being tried at Prome, deferred areas being given to the poor

for cultivation. He was surprised at the statement that communications and civil works are unproductive. As regards roads, he remarked they were important for trade, while civil works comprised buildings for hospital, for the education of officers and for judicial and public officers, all necessary for the better Government of the country. Regarding the suggestion made that Burma should be raised to Japanese standard in industries, he pointed out that Burma was principally an agricultural country and there could be no comparison. There were ample cottage industries for the present needs of Burma and they were encouraging them.

Sir J. A. MAUNG GYI, Home Member, considered himself fortunate that few criticisms had been levelled against him, perhaps due to the fact that the opposition benches realised that he had been in office for only a few months. Replying to criticisms made by a member about cutting down the expenditure in housing the police, he said the police were badly housed and considering the important work they were doing they should be made comfortable. About increased police expenditure, he said that as soon as crime decreased, expenditure would also decrease.

Sir William KEITH, Finance Member, replying said that very few criticisms had been made at the estimates for 1927-28. Hitherto, Burma had found money for capital expenditure from rice control profits, but towards the end of the year, they would have to borrow not a very large sum and they would have to continue doing so. But so long as income was steady, the position was not serious as some members tried to make out. What they would have to be careful about in future was to see that recurring expenditure did not rise as fast as it had. The matter rested with the Finance Committee who would have to scrutinise carefully fresh proposals in future to see money spent on capital expenditure so as not to involve recurring liabilities. Regarding the outcry against new police courts, he said that from a commercial standpoint the building was a good proposition as it would house many courts and offices which were now in rented buildings. Yanselin scheme to augment water-supply was already in progress and the Council would have an opportunity of discussing the whole scheme when demand was made for grants. He pointed out the importance of civil works. The Finance Member admitted the return from irrigation was much quicker than roads, but he pointed out that roads, though they did not bring any revenue directly, were of great importance to the development of trade and agriculture. Turning to excise, he emphasised that the policy was not guided by financial considerations. So far, Burma was the only province in India which has not imposed fresh taxation and he did not think the people had much cause for grievance, even in case fresh taxation was imposed.

The total increase in expenditure on education was much greater than that on police. He reminded the House that the expenditure on police depended on the state of the country. In regard to the suggestion of raising money by premium bonds, the Finance Member was in favour of it and if some suitable schemes were put forward and the Government of India were induced to sanction it, then Burma would be able to have such a scheme within its borders.

#### Official Business.

Four official bills including the President's Salary Bill fixing the salary of the elected President at Rs. 4,000 per month were passed without discussion. The Council then adjourned.

#### Voting on Demands.

On the 7TH FEBRUARY the Finance Member submitted certain revised figure of the budget. He then moved the demand for Rs. 3,67,81,500 on behalf of his departments. Several cuts were proposed but all of them were either lost or withdrawn.

Mr. U. Pa, Leader of the Home Rule Party, moved a cut of four lakhs of rupees to be paid as commission on capitation tax collection under land revenue. The mover said that the Government had promised the abolition of capitation and thatamada taxes within a year. He was surprised to see the two taxes included in the budget estimate for the coming year. Whenever demand was made for the abolition of the taxes, the Government opposed it by asking what substitutes the opposition proposed to introduce. His reply was if the Government practised economy, there would be no necessity of substitutes. He opposed the collection of these two taxes.

The Finance member said that a similar amendment was made last year, but the House did not accept it. Village headmen had to be remunerated in some way for the collection of the taxes. The Government was awaiting the report of the Capitation and Thatamada Taxes Enquiry Committee appointed to enquire into substitutes for the taxes and until

that report and the Secretary of State's assent to the substitutes proposed were essential, it would be futile to ask for abolition of the taxes. The motion was lost.

#### Discussion on the Working of Reforms.

On the 6TH FEBRUARY the Finance Member's demand for Rs. 2,67,31,500 was put to the House and carried.

The Home Member then asked for Rs. 3,34,74,600 for his departments.

Mr. J. K. MUNSHI, Independent, proposed a cut of Rs. 100 in connection with the demand under "Provincial Legislative Council". Heated debate extending almost over the whole day took place over this amendment and several non-official members, both nominated and elected, representing different parties and interests, as well as several officials, participated in it. Mr. Munshi said the objects of his motion was to raise a discussion on the working of the Reforms and to give the council an opportunity of expressing their opinion thereon. At the outset, he desired to know whether nominated members were sent to the House to vote for the Government, irrespective of personal views. Continuing, he said that during the earlier period of the Reforms, the Government gave all the information the House desired but now with an assured majority the attitude of the Government was changed. That was not the way to work the Reforms successfully. There were occasions on which official members might have refrained from voting; but they did not do so. He instanced the motion for the removal of sex-disqualification which was lost. He criticised the Independent and Golden Valley parties for always voting with the Government in spite of the shortcomings of the Government benches. He thought that Burma had no reason to be discouraged and he hoped there would be a return to a spirit of co-operation which marked the working of the Council in the first three years.

The Nationalist leader, Mr. U. PU, said the attitude of the Government in the present council showed that they had no desire to do things the people wanted. The present Government was in reality bureaucratic though apparently representative in form.

Mr. U. PU, Home Rule leader, accused the Government of luring the members of the Nationalist, Swarajist and Home Rule parties to the Government side. He opined if the Government would adopt a spirit of friendly co-operation, many existing grievances would disappear.

Mr. Mahmood AUZAM, member of the Independent Party, opposing said he had heard opposition members saying that they are going into the council to oppose the Government but he had not heard a single member saying that he was going to oppose what was wrong. He was ready for co-operation if he found the proposals put forward were constructive.

Mr. Narayana BAO, nominated labour member said he had no other aim than to do some thing good for the labourers. He repudiated the criticisms made about his change of attitude since he became a nominated member. He thought officials in Burma were more democratic than those in India and Burma had made substantial progress.

Mr. BRANDER, Chief Secretary, said the reason why the Government was unable at times to give the desired information was due to delay in obtaining such information. He assured the House that the nominated members were free to vote as they liked.

Mr. Booth GRAVELY, Secretary, Finance Department, said that the present House was more parliamentary in character, there being a Ministerial party in the House to vote with the Ministers.

After further discussion, the FINANCE MEMBER said that the Government had been accused of non-co-operation, but if the proceedings of the council were considered, it would seem that the Government seized every opportunity not only to co-operate but to work the Reforms successfully. He referred to the formation of many Standing Committees to show how the Government was desirous of co-operating. When the Government opposed the resolution it did so in the best interest of the country. The Government had given way in many instances against better judgment simply to meet the wishes of the people. Comparing the last council to the present one, he said the last council was unreal. For example, one of the Ministers had been the leader of a party which was playing the role of opposition, while in the present both Ministers had their recognised following and were supported by them. Continuing, the Finance Member said that the nominated members voted with the opposition on many past occasions. They never came into the council with a mentality amenable to views advanced by the Government. He concluded by saying that the government had been doing its best to serve the interests of the country. The Home Member assented that

every consideration would be given to their grievances. He also explained the attitude of the Government.

Mr. Munsli then withdrew his motion. The Council adjourned till next day.

#### Home Member's Reference to Bev. Ottama.

On the 9TH FEBRUARY the Council disposed of some of the cuts proposed in the Home Member's demand. At about 4 p.m. members of the Home Rule, Swaraj, and Nationalist parties walked out as a protest against what they regarded to be the slighting reference made by the Home Member against U. Ottama in the course of a discussion over a cut moved by U. Pa, leader of the Home Rule Party.

In moving the amendment Mr. U. PU said he asked two questions about U. Ottama now in jail. The first one wanted to elicit information about the time of his release and the second to ascertain whether he was in Rangoon jail or elsewhere. The Government reply was that they were not prepared to make any statement on the subject. He could understand that the reason of the Government for not replying to the first one was to avoid demonstration by the public but he condemned reticence of the Government regarding the whereabouts of U. Ottama.

The Home Member, in the course of his reply, remarked that Ottama was one of about 20 to 30 thousand criminals in Jail and it was not possible to keep information of each and Ottama was not such a prominent man as Lord Birkenhead or Lloyd George. This remark about Ottama provoked strong criticisms by several members who spoke highly about Ottama's services and strongly criticised the attitude of the Home Member in his reference to U. Ottama.

Mr. U. Pa, winding up the debate on the cut, said he would leave the Council if the Home Member did not withdraw his remarks. The Home Member, replying, said that the reference he had made about Ottama was nothing extraordinary. He described Ottama as one of the many ordinary prisoners. The mover of the cut said that the Home Member must withdraw his remarks about Ottama. The Home Member could not change his attitude and he did not consider he had done anything wrong or anything for which he could be taken to task.

At this stage, the mover left the Chamber and members of the three parties walked out of the Council.

Continuing the Home Member said it was a matter of opinion whether Ottama was the idol of the country as described by some members. Ottama was convicted for sedition and under "Vinasa" rules any monk dabbling in politics was pseudo-monk. The mover had not waited to hear what the Home Member had to say.

As the three parties left the Council, only three members, Messrs. Campagnac, Raff and Munsli voted for the cut, while members of the Independent and Golden Valley parties besides officials voted against it. The motion for cut was thus lost by an overwhelming majority. The Council then adjourned.

#### A People's Party Formed.

After the walk-out the members of Nationalist, Swaraj and Home Rule Parties and some non-party members of the Burma Legislative Council assembled and passed a resolution that in view of the peculiar defects in the dyarchical system of Reforms in Burma and undue advantage thereof by official members as demonstrated by their indifferent and uncompromising attitude in the Council towards the people's representatives and also because of the discourteous remarks made by the Home Member in reference to Rev. U. Ottama, it is becoming imperative that the people's party composed of Nationalists, Home Rulers and Swarajists and some of the non-party Independents be constituted forthwith. It was further resolved that the fundamental principle of this party be the refusal of acceptance of any office in the gift of the Government until the revision of reforms when the position will be reconsidered. An Executive Committee was formed and the leader, deputy leaders and whips were elected.

#### Discussion of Police Expenditure.

On the 10TH FEBRUARY, discussion mainly centred round the demand for Rs. 1,37,50,000 under the head "Police." The motion for cut was eventually lost by a majority of 80 votes. Members who walked out yesterday attended the Council to-day.

Mr. U. Ba Pe, Nationalist, in moving the cut said that the total police expenditure was the highest so far. The Government point was that the increase was due to their desire to suppress crime, but he was of opinion that more increase in police force would not reduce crime and if the Government looked after the economic conditions of the people, there was no necessity for such high expenditure under this head. Instead of spending money on police stations etc., it would be better to spend money on the poor, to give them

education, to encourage industries, to assist the cultivators financially and to improve public health. These improvements would considerably help reduction of crime. He criticised new appointments of two Deputy Inspectors-General of Police. He referred to the lack of co-operation between people and police and attributed the fault to the latter.

Mr. Brandier, Chief Secretary, in opposing the motion, said that the increase in expenditure was not so heavy as described by the mover. He quoted previous years' figures in support of his statement. He added that the increase in the estimates for 1927-28 was partly for the purpose of putting into operation schemes already approved. Some increase in expenditure was also caused by increments in salary. New appointments of Deputy Inspectors-General were created to solve the crime problem and the position in this respect would be reviewed in future. He opined that these appointments would help better detection of crime.

After a number of members had spoken in support of and against the cut, Mr. U. Ba Pe replied urging better village organisation to reduce crime.

The Home Member quoted figures to show that increase in police force has taken place and this he said was necessitated by the increase in crime in the recent past. As regards economic conditions of the people, he said Burmans themselves were responsible for that; for he himself as a Burman knew that Burmans were "the laziest under the sun." He regretted the absence of constructive criticism. The motion as already stated was lost. The Council then adjourned.

#### Forest Minister's Demands.

On the 11TH FEBRUARY the total demand for Rs. 3,31,74,600 made by the Home Member was carried, all cuts proposed having been lost. The Forest Minister then moved a demand for Rs. 2,26,45,400 for his department. The only cut proposed to-day on the Forest Minister's demand was that by U. Pu, formerly leader of the Home Rule Party, and now deputy leader of the newly formed People's Party refusing the Forest Minister's salary of Rs. 60,000. The motion was debated the whole day and eventually lost.

U. Pu in moving the cut said that he wanted to kill dyarchy by refusing the Minister's salary, because dyarchy was unworkable. The opposition had arrived at this conclusion from the experience gained by the Nationalists after they had worked the reforms for three years. Another intention was to express no confidence in the Ministry because they were puppets in the hands of glorified Under-Secretaries and guided by what the Secretaries thought. He criticised the appointment of the Hon'ble L. Ah Yain on the ground that he was a member of the Chinese community.

U. Ohn Pe, in supporting, complained of the fact that only a few Burmans had been recruited for the Indian Forest Service and been given promotions from Provincial to the Imperial Service.

Both Mr. Auzam and Mr. Munshi opposed the motion and criticised the racial issue raised by the mover. Mr. Munshi also said that nothing would be gained by non-cooperation.

The Forest Secretary, Mr. Cooper, in explaining the principle of recruitment for the Imperial Service, said it had ceased since the Lee Report had been published. Promotions from Provincial to Imperial Service were restricted by the authorities higher than the Minister of Forests.

The Hon'ble Minister, in opposing the motion, said that the mover had stated that his idea was to kill dyarchy and to that end he moved a cut on the demand for Minister's salary; but a similar attempt made in Bengal, he pointed out, resulted in the transferred subjects becoming reserved. The Forest Minister was as good a Burman as any with Burmese names were in the opposition benches. Section 26 of the Government of India Act stated:—"No native of British India nor any subject of His Majesty resident therein shall, by reason only of his religion, place of birth, descent, colour, or any of them, be disabled from holding any office under the Crown in India." After giving his experience as the former Forest Minister, he said the present Minister was also as desirous of doing good to Burmans as he was. He asked wherefrom the mover got the information that the Ministers were puppets in the hands of the Secretaries. They should naturally look to the Secretaries for necessary help as they were trained men. If the present Ministers were puppets, then the leader of the people's Party (U. Pu) must himself have been a puppet as he was a Minister. He concluded by saying that there was no substance in the argument advanced by the mover.

The motion was pressed to division and lost, there being 54 votes in favour of the Government against all as the other side did not go to the lobby.

The President in criticising the members who pressed for division but did not go to the lobby said they had abused the privilege and had shown discourtesy to the Council.

The Council then adjourned.

## Deportation of Chinamen.

At question time to-day the Home Member replying to a question said that 147 Chinamen were deported during 1925 and 162 in 1926 under the Foreigners Act from Burma.

## Forest Minister's Demand.

On the 12TH FEBRUARY, U. Pu (ex-Minister), leader of the People's Party, referred to the charge of discourtesy made against the members who refused to go to the lobby yesterday and said his party was under the impression that the matter was left to their discretion, consequent on what the Government benches did in September last. The President accepted the explanation and said it was not justifiable to force a division unless there was some reasonable doubt as to the result. Cuts under the Forest Minister's demand were then taken and disposed of, majority being withdrawn after discussion. The total demand for Rs. 2,26,45,400 made by the Forest Minister for his departments was then put to vote and passed.

## Education Minister's Demand.

The Hon'ble Dr. Bo Yin, Education Minister, then moved for demand for Rs. 2,60,69,800 for department under his charge. Two important cuts under this demand, one refusing Rs. 60,000 for salary to the Education Minister and the other refusing Rs. 5,00,000 for Mergui Scawall and reclamation works were put to vote and lost without division.

Mr. U. Pu, Leader of the people's Party, moving to-day the refusal of the Education Minister's salary, urged the same grounds as he did yesterday in refusing the Forest Minister's salary. His further point was that Ministers were unable to act up to the people's wishes as expressed by people's representatives in the Council. So he wanted to kill dyarchy by refusing the salary.

Mr. Narayan Rao spoke strongly on the racial question being raised and opposed the amendment.

The Home Member, in opposing the motion, said if they could not work such simple form of Government as they had they could not expect anything better. It was members of the G. C. B. A. and Y. M. B. A. who formed the opposition in the Council and brought in this dyarchy and it was only the jealousy of India that had led them to have dyarchy which no one claimed to be perfect, but they must prove their ability to govern before they could expect self-Government. The motion was put to vote and lost. All cuts under the Education Minister's demand having been disposed of, the total demand for Rs. 2,60,69,800 was carried and the Council adjourned.

## Burma Spinning and Weaving Company.

On the 14TH FEBRUARY, the Council disposed of the three non-official resolutions, one of which was carried, the next withdrawn and the third one lost.

The first resolution moved by U. Kyaw Dun recommended to the Government to take over the whole of Burma Spinning and Weaving Company's properties, both movable and immovable which were under mortgage to the Government in full satisfaction of the loan of Rs. 15 lakhs and the interest due thereon. The Forest Minister, after giving the history of this pioneer industry as a public limited company, pointed out that the company on the 1st November 1926 unanimously passed a resolution which was almost the same as was now before the House. He informed the House that the fate of the resolution would be decided entirely by non-official voting, the Government remaining neutral.

Mr. E. Wroughton, representative of the Burma Chamber of Commerce, expressed disapproval of the motion and associated himself with the remarks made by the Accountant-General who stated that the motion offended against the canons of financial propriety.

The resolution was put to vote and carried without division.

## Institution of Land Mortgage Banks.

The second resolution moved by U. Pu, leader of the People's Party recommending expedition of the institution of land mortgage banks was withdrawn on the Forest Minister having remarked that he had been informed that a Bill was in the hands of the Government Advocate who was recasting it in the light of the criticism received and the Government was anxious to expedite the matter.

## Abolition of Book-Makers at Race Meetings.

The last item of business was a resolution by Mr. N. M. Lall recommending the abolition of book-makers at race meetings throughout Burma. The subject was debated at length, six members supporting and seven opposing it. An amendment was moved by



Mr. J. K. Muzhi recommending to the Government to ascertain whether the best interests of the public would be served by retention or abolition of book-makers. On the mover objecting that the amendment would negative the resolution, the President disallowed it. The arguments adduced in favour of the resolution mainly were that in racing a clean fraud was practiced on account of book-makers who were sometime bought off by large owners and the dishonesty perpetrated at race meetings brought about privation to many a poor man's home. The mover emphasised that his resolution was directed against this particular system of betting.

Mr. Brander, Chief Secretary, Mr. Booth Gravely, Finance Secretary, and five other non-officials opposed the resolution and generally urged that abolition of book-makers would lead to the springing up of a number of bucket shops all over the town and gambling would go on no less vigorously and under much worse conditions. Messrs. Brander and Wroughton who are stewards of the Rangoon Turf Club with their experience of the inner working of the club said that the allegations against book-makers were not true.

The Forest Minister, in opposing the resolution said that a similar resolution was talked out in the last Council and to-day's discussion did not disclose further arguments in favour of the abolition. He said that the Government was willing to ascertain the desirability of retention or abolition of book-makers in the best interest of the people. The motion was pressed to division and lost, voting being 80 for and 46 against. The Council was adjourned.

#### Discussion on Non-Official Resolutions.

On the 15TH FEBRUARY five non-official resolutions were disposed of, four of which were of purely provincial interest. The last resolution moved by Mr. M. M. Rafi recommended the appointment of a non-official committee to enquire and report on the drink and drug traffic in Burma in all its aspects including total prohibition. The resolution was lost by a majority of three votes.

On the 16TH FEBRUARY two non-official resolutions were carried without division in both cases the Government refraining from voting. The resolution moved by Mr. S. A. S. Tyabji recommended to the Government that the session of the Council at which the budget was presented and discussed should be restricted to business directly connected with the budget and business that was either formal or of real emergency and that to enable the Council to deal with other businesses two other sessions should be held in each year. The object of the mover was to have three sessions instead of two as at present. The reason urged by him was that the budget session was held at a time of the year which was the busiest season for members most of whom are interested in paddy trade. Consequently, it was difficult for them to remain throughout the session long as it was, for business other than budget was disposed of at the session. Another reason of his was that members had short time to study the budget. The Finance Member said the Government had always been anxious to meet the wishes of the Council in this matter, but it was difficult to please all. It was a matter for the Council to decide and he wished to hear the views of non-official members on the subject. The resolution had support from several members of the different parties, while only two non-official members opposed it.

The Finance Member then suggested that the best way to settle the matter was to have a small informal committee to suggest to the Governor what month would be suitable for Council meetings. The motion was carried.

#### Daily Allowance to Rangoon Members.

The other resolution moved by Mr. U. Po Thin representing Kather recommended that a daily allowance of Rs. 20 be also given to members of the Council residing in Rangoon as there were no public out of Rangoon. The motion was also carried. The Council then adjourned.

On the 17TH FEBRUARY which was the last non-official day in the present session of the Burma Legislative Council, Mr. U. Pa, Deputy Leader of the People's Party, moved a resolution requesting the local Government to withdraw its resolution appointing a Committee to consider the question of modifying the existing orders regarding the manner of detention of the persons arrested and confined by a headman with special reference to the use of stocks and mark; recommendations thereon. The resolution also recommended to the Governor-in-Council to abandon the idea of renewal of the use of stocks for the purpose of confinement of the arrested persons. The mover's object was to bring to the notice of the Government the undernourishment of the use of stocks. He said it was illegal, barbarous and un-British. Of course, stocks were used by Burmese Kings, but they were not consistent with a progressive Government like the British Government. The late Sir Maung Kyi

condemned the use of stocks. He had no objection to the Government suggesting some other means of detention. He characterised the Committee appointed as farcical, for the only opinion it would hold would be Governmental.

Mr. H. L. Nichols, Deputy Secretary, Home Department, said that the Government had not come to any decision on the matter of the use of stocks and had appointed a committee to obtain advice with a view to coming to a decision. The Government had no intention of using stocks as a means of punishment; but purely as a means of detention of violent drunkards and dangerous criminals. The Committee would carefully consider the views placed before it. It had nothing to do with the question of the legality of the use of stocks. It was a matter for the local Government to decide. The mover's arguments were purely sentimental.

After a long discussion in which several non-official members participated either in favour or against the motion, the Home Member said that on the representation of several headmen who had found great difficulty in checking violent criminals in detention he appointed a committee to enquire into the question of the use of stocks. He instanceed cases to show how some criminals though handcuffed could cause injuries to others. He said the criticism levelled against the use of stocks were inopportune, for no decision had yet been arrived at. There was nothing to show that the use of stocks was illegal. The Stock Committee were composed of men with administrative experience. He pointed out that as Home Member he was responsible for law and order.

The resolution was lost by 28 against 41.

#### Burma Cotton Weaving Industry.

Mr. S. A. Tyabji moved that this Council views with great concern the rapid decline of the cotton weaving industry of Burma and urgently recommends to the Government to support the industry by making it incumbent on all departments of the Government to utilise cloth only such as may be manufactured in Burma (exceptions to be specially sanctioned by the Government). Mr. Tyabji said that as Industries was a transferred subject, the Ministry should spend more time and energy in their development. He quoted figures to prove that cotton industry was on the decline in Burma, but the Forest Minister and the Development Commissioner produced other sets of figures to dispute the mover's statement. Mr. Tyabji challenged the accuracy of these figures, stating they were not figures for cotton weaving industry alone.

The Finance Member, leader of the House, explained the policy of the Government in respect of the purchase of stores which was that they would give preference to locally manufactured goods, provided they were good in quality and prices were reasonable.

The resolution was lost without division. The Council then adjourned till next day which was the last day of the present session.

#### Transaction of Official Business.

On the 18TH FEBRUARY motions for additional and supplementary grants amounting to Rs. 6,38,800 required by the Finance Member, the Home Member and the Education Minister were carried. There were two official bills on the agenda, the Burma Oilfields Amendment Bill and the Burma Municipal Bill. The former was passed and the latter referred to a Select Committee.

#### The Oilfields Bill.

The object of the Oilfields Bill, the Finance Member said, was to facilitate the maintenance of law and order in oilfields during the strikes and other periods of emergency by conferring on the warden prohibitory powers regarding carrying of weapons and doing acts which constitute preparations for or incitements to the commission of a breach of the peace. Several non-official members, mostly from the People's Party opposed the Bill, particularly criticising the provision prohibiting public exhibition of persons or of corpses or figures or effigies and singing of songs or playing of music. The trend of the remarks was that this piece of legislation was a direct challenge to whatever liberty the labourers still enjoyed in the oilfields.

The Finance Member, replying, said that the provisions of the Bill were identical with certain provisions of the Rangoon Town Police Act. No voice was raised against such powers exercised by the Commissioner of Police in Rangoon. There was no general prohibition of carrying of corpses and of singing of songs. It has been distinctly stated in the Bill that prohibiting powers would be exercised by the warden only when necessity arose. The Bill was carried after division, the result of voting being 45 against 28.

#### The Burma Municipal Bill.

The Hon'ble Dr. Ba Yin next introduced the Bill to consolidate and amend the law relating to Municipalities in Burma other than Rangoon. He said the Burma Municipal

Act of 1898 was in many respects unsuited to the existing administrative and political conditions. The object of the Bill was to bring the law into close harmony with them. On his motion, the Bill was referred to a Select Committee.

The Council was then prorogued.

### The New Council.

On the 19TH FEBRUARY, Sir Robert Giles presiding, the election of the new President took place in the new Council which met on this day.

There were two nominations for the presidency, Mr. Oscar De Gianville, Leader of the Independent Party and Lieut.-Col. U. Ba Ket (Rangoon University). The President explained the procedure to be adopted and the Council proceeded with the election which resulted as follows:—Mr. Oscar De Gianville 57 votes, Lieut. Col. Ba Ket 38 votes.

Mr. De Gianville was elected President.

### Governor's Appreciation of Sir R. Giles's Services.

His Excellency sent the following message of appreciation:—

"I take this opportunity of expressing my high appreciation of the services rendered by the Hon. Sir Robert Giles as President of the Council. He has long occupied a unique position in the public life of the province and I believe that I am expressing the general opinion when I say that he has presided over the Legislative Council with rare ability and impartiality and that he has zealously maintained the privileges of the Council. It is a very great regret to me that Sir Robert Giles is soon to leave Burma."

The Finance Member, in reading out the above message, paid an eloquent tribute to Sir Robert Giles who looked much moved at these tokens of appreciation.

The Finance Member said: "I venture to think that in the message His Excellency has expressed the sentiments of all the members of the Council.

"When the presidential chair fell vacant on the death of your distinguished predecessor, Sir Frank McCarthy, you were clearly marked out for his successor. You have fully maintained the high standard which he set and have more than justified the hopes which were entertained on your appointment. You have presided over our meetings with dignity. You have guided our debates with firmness and fairness. You have shown indulgence where indulgence was appropriate and you have reproof when reproof was due. Under your supervision the reforms and procedure of the Council had been established on sound lines and the introduction on your initiative of the Mace has added authority to its proceedings. We shall miss your familiar figure within these walls. We venture to express the hope that when you are asked how the infant Council comported itself under your guidance you will feel able to say that it made good progress and that in respect of decorum of its proceedings and behaviour of its members within this Chamber the Council has nothing to learn—at least nothing that is desirable for it to learn from other legislative bodies of which you have knowledge or even from the mother of parliaments herself."

Eulogistic tributes were then paid to the retiring President, Sir Giles, by different parties and other members. Mr. U. Pu, ex-Minister and leader of the People's Party said he was voicing the feelings of his party when he begged himself to be associated with the sentiments expressed by the Finance Member. He said that they found the President firm and fair and his judgment in deciding questions of procedure at the spur of the moment had given the Council entire satisfaction.

Mr. De Gianville, President-elect, said it was with regret they would say goodbye to him. He need not enlarge on the sentiments already expressed, but he would like to say that the members of the House and people outside felt that in losing Sir Giles they were losing a man whose loss would be felt by the Rangoon University also, with which he has so long been associated. The country would also lose Lady Giles who had done a great amount of good to the country in connection with many charitable works. He extended good wishes on their departure and hoped they would not forget them.

Messrs. Campagnac, Rafi and Parekh having spoken, Sir Robert Giles thanked the members for the kindly sentiments expressed by representatives of various parties in the Council towards himself and his wife. He said:—My term of office as President had been a time of absorbing interest for it has given me opportunity of assisting in moulding the procedure of the Council during earlier years of its life. I thank you sincerely for your unflinching support and ask you to continue it with my successor whom you have just elected. I welcome the new stage of the Council's sitting that begins with the election of Mr. De Gianville as your President. I shall watch the future life of the Council from a distance with intense interest in the confident hope that whatever emotion and whatever

powers may from time to time be entrusted to the Council it will continue to exercise them with that orderliness and dignity which have hitherto prominently characterized it.

The members then shook hands with Sir R. Giles and the Council adjourned for a short while.

Congratulations to the New President.

When the Council resumed its sitting, Mr. Oscar De Glanville, the newly elected President took the chair.

The Finance Member read out His Excellency the Governor's message conveying his approval of Mr. De Glanville's election to the presidential chair.

The Finance Member said: "As the leader of the House, it is my privilege and pleasure to tender the sincere congratulations of the official members on the signal distinction which has been conferred on you. To-day is a landmark in the history of reforms in Burma, a landmark also in our successful career. The probationary stage of the Council is at an end. For the first time, it has exercised the right to select its own President and you have reason to be proud that its choice has fallen on you. It is a good omen for the continuance of Burma within the British Empire that the first elected President of her Legislative Council is an elected representative of the European constituency. It is a happy augury for Burma's early attainment of Home Rule within the Empire that the first elected President is a son of Ireland. But if you owe allegiance to Ireland as the country of your birth you owe higher allegiance to Burma as the country of your career. We welcome you to your high office as a Burman in the fullest and truest sense of the word. You have identified yourself with the interests of your adopted country. You have taken an outstanding position in her affairs political and from the first you have been recognised as the leader of moderate views in this Council. No member of the community has done more than you to work the reforms in the spirit in which those who framed them intended that they should be worked. If Burma occupies a high place, perhaps the highest among the provinces of India which have made a successful start on the journey to Home Rule within the Empire, it is due in no small measure to your wise counsel, to your obvious sincerity and to your unwearying efforts to secure the working together of representatives of diverging interests.

"The European constituency were fortunate in its choice of a representative and although by your elevation to the presidential chair that constituency loses an active spokesman in the Council, it will have the proud satisfaction of knowing that constituency's loss is the Council's gain. Henceforth you belong to no party. You belong to the Council and we are confident that your tenure of high office will be marked by the same tact, same fair-mindedness and same courtesy as you have shown in your capacity as party leader; that you will protect the interests of minorities and that you will suffer no encroachment on or diminution of rights and privileges of the Council."

Concluding, on a personal note, the Finance Member said: "I am deeply grateful to you and I know that my humble colleagues in the Government share my gratitude for the devoted service which you have rendered on various committees of the Council since the inauguration of the reforms. Our best wishes go out to you for your success in your high office and I for one venture to express the hope that when the life of the present Council comes to an end its successors will follow the example of mother of Parliaments, of the Indian Legislative Assembly and of other Councils in India and re-elect you without opposition as its President."

Several speakers then followed in welcoming him and congratulating him on his election to the chair making eulogistic references to his ability and services.

Mr. U. Pa, leader of the People's Party, in welcoming him on behalf of his party said he agreed with the Finance Member with all he said except the constitutional point on which he disagreed. He hoped he would uphold the dignity and tradition of the House.

Mr. Champagnac congratulated the President remarking that he had risen high by his own personal merits and expressed the hope that he would hold the scales even and that the House by common consent would re-elect him in future.

Mr. Rao, in congratulating him, said the honour was heightened by the fact that the President was placed on the chair by suffrages of the majority of the House. He remarked that the bar would be poorer by his election but it was a gain for the Council and wished him every success. Mr. Narayana Rao also spoke congratulating the President.

Mr. De Glanville then thanked the members for the high honour conferred in electing him as the first President and for kind sentiments expressed by members. He assured the House that he would try to discharge his duties to the best of his abilities.

The Council was then prorogued.

# The Kerala Provincial Conference

The Third Kerala Provincial Conference assembled at Calicut on the 16th April 1927 in the afternoon in a very spacious and elegantly decorated pandal erected for the occasion. There was a very large and representative gathering and great enthusiasm prevailed. The proceedings commenced with some national songs by a choir of girls.

## Welcome Address.

The following are extracts from the Welcome Address of Mr. K. Madhavan Nair, Chairman of the Reception Committee. After welcoming the distinguished delegates and visitors Mr. Nair dwelt at length of the communal problem and said :—

" If Kerala was the Province which gave the first impetus to the non-cooperation movement by dispelling, under the lead of Mr. Yakub Hussain, the fear of the terrors of jail from the minds of our workers, it was also the first to deal a deadly blow to it by renewing, as a result of the rebellion, in a new but bitter and dangerous form, the Hindu-Muslim feud which appeared to have been almost crushed out of existence by the Khilafat movement inaugurated by Mahatma Gandhi. This fact is my excuse and justification for referring to a topic which of all the problems connected with our fight for Swaraj is the most vital and baffling and which, the collective restraint of all our leaders, more than their collective intelligence will alone ultimately solve. I do not ignore or minimise the gravity of the suspicious and distrustful attitude of the generality of the Hindus towards the Mahomedans and the desire for the spread of Islam and the establishment of a Mahomedan supremacy which the more ignorant and fanatic among the Mahomedans betray at times. These are facts which some of us have learned from our bitter experience of the Rebellion, but we can safely assert that this mentality, however deplorable it is, does not assume dangerous form except in a state of anarchy or under other exceptional circumstances.

" In normal condition, the relationship between the masses of both the communities is peaceful and cordial and it is perhaps only once in a century that a general collision takes place between the two communities as a result of the dormant feelings of distrust born of religious hostility. The real danger which makes life intolerable and impedes the march to freedom does not proceed from the masses but from a section of the leaders of both the communities whose intelligence and imagination impart to the most trivial incidents and differences an importance and magnitude which such incidents or differences neither possess nor deserve. In no part of India, ever since the dawn of British Rule in the country have the Hindus and Mahomedans come into such horrid conflict and on such large scale as they did during the period of the Malabar Rebellion and yet none who knows Malabar after 1922 could believe that the two communities, whose mutual relationship at present discloses nothing but absolute peace and cordiality

behaved more like brutes than men, against each other within such a short distance of time. The communal feud ended as suddenly as it began, because it was not abetted and blessed by cultured leaders or perpetuated by them through controversies on the platform and the press. The two organisations, one Hindu and the other Mahomedan, whose workers belonged to the Punjab, the nursery ground of communal feud in India (for whose relief work, Malabar will ever feel grateful) carried the seeds of bitterness and dissensions from Malabar into the congenial soil of Northern India where it was taken up by communal leaders and made to grow into such proportions that we in Malabar, who have long ago forgotten our feud, are amazed to see the wild and luxuriant growths of communal animosity that have sprung out of them. In Malabar such quarrels began to rear their heads, after the Rebellion ended, between people living outside the rebel area, but they were nipped in the bud by an amount of restraint, patience and tolerance, which have brought home to us the truth that hatred is never conquered by hatred but only by love and forgiveness. How much one kind word, one expression of sympathy, one act of liberality, touches and softens the mentality of the opposite side is illustrated by the happenings during the Assembly Sessions at Delhi this year and if only that section of the leaders who believe and perhaps believe bona-fide that their duty to their community is greater than their duty to the country follow up the example of Lala Lajpatrai and Mohd. Yakub as manifested in their speeches in the Assembly, I am sure we shall enjoy life more peacefully and reach our goal of Swaraj more speedily than we ever dreamed of. The agreement to a joint electorate is the first step in the right direction towards the consummation of our fond hopes of political unity, and I implore both the Hindus and the Mahomedans of our Province not to say or do anything, however unwillingly, which may be calculated to frustrate the noble attempts at rapprochement made by our leaders at Delhi.

#### No Programme of Work before the Country.

"With regard to the other questions of All-India importance, I shall leave them alone as I do not think they fall legitimately within the province of a speech of the Chairman of the Reception Committee. I may be permitted simply to say that the lull and inaction in political activities is not confined to Kerala alone but is an unfortunate feature of the other Provinces as well, though perhaps it is not so striking there as in Kerala. There is no programme of work before the country new into which people of a political turn of mind can plunge with enthusiasm because the constructive programme of Mahatmaji appeals only to those who have absolute faith in the doctrine that khaddar will bring Swaraj and the Council programme is at best only of negative value and gives work only to those that enter them. It is a matter for consolation that a unanimity is being reached among all sections of political opinion, that khaddar is an indispensable adjunct of nationalistic activities, but this does not signify that people are prepared to accept khaddar as the only outlet for the political fire and spirit that burn within them. The no-changer may quarrel with the mentality which refuses to appreciate and follow the teachings of Mahatmaji but the fact is there and no exhibition of spleen will or can undo it. People differing from the no-changers' view hoped to find some satisfaction in their work in the Council but any one who has been there will testify to the fact that of all the devices that a foreign

's ingenuity has discovered to divert the energies of a recalcitrant  
 "see through the futilest of channels this is the most wonderful and  
 Of course, by your entry there you exclude those whom you  
 consider enemies of progress. But at the same time you not only achieve  
 nothing there but run the risk of falling that pervades the atmosphere making  
 you forget at times even the elementary idea why you are there for. Of  
 course, in the absence of any better plan, we have to abide by and follow  
 the Congress policy of Council-entry and try to make the very best of a very  
 bad bargain.

### The Tenancy Question.

"If of all the Indian problems, the Hindu-Muslim relationship is the most  
 vital, the one problem that exercises the mind of the people of Malabar most  
 relates to the question of the relationship between the landlord and the  
 tenant. In Cochin and Travancore where the rulers and the ruled have  
 greater affinity with each other than in British Malabar, this question has  
 been to some extent satisfactorily settled. For 50 years now, the Govern-  
 ment has been 'considering' the question, issuing Commissions, collecting  
 evidence, receiving reports, preparing bills and throwing them all into the  
 waste paper basket and still we are told that the Government wants another  
 Committee, to consider the question again.

"I am not one who advocates radical or revolutionary change in land  
 reform and I don't think the generality of the tenant population in Malabar  
 do want such changes. Occupancy right to the cultivating tenants and pro-  
 tection from arbitrary eviction and Meloharth as regards other classes of  
 tenants is the demand made by the moderate section of it. A legislation  
 that regulates the relationship between the jenmis and tenants will be a  
 boon to a very large section of the Jenmies as well. In many parts of  
 Malabar, the impecunious Jenmi is at the mercy of the recalcitrant tenant  
 against such of whom as have effected improvements of large value, he is  
 quite powerless to enforce his legitimate claim for renewal fees without costly  
 and protracted eviction suits. A legislation which secures a summary method  
 of realising rent and renewal fees to the Jenmi and protection from arbitrary  
 eviction and Meloharth to the tenant and regulates the rate of such rent and  
 renewal fee will be productive of happiness to the Jenmi and the tenant and  
 permanent good to the land.

"Before I conclude, I must refer to one matter which compels the  
 people of Kerala hide their head in shame on account of the inhuman and  
 disgraceful treatment they accord to their brethren known as "Theendal"  
 castes. The sanctity of the higher castes including Nair is measured in  
 this land of Kerala by the distances which their unfortunate brethren have  
 to keep from them and which in different cases vary from 15 ft. to 500 ft.  
 This is a land where not only touch and proximity pollutes but even sight.

"Another question which is peculiar to Kerala and which deserves our  
 earnest and urgent attention is the reform of the Marumakkathayam system  
 of law that prevails here. The Nairs, Thiyyas, Moplahs and other com-  
 munities that follow the Law labour under various disabilities and are  
 bound down by customs quite out of joint with modern ideas and conditions.  
 A change has become highly necessary and it is for the Conference to give  
 a lead to the country in this matter. The problem has been solved in the  
 neighbouring States of Cochin and Travancore and an accidental and

unfortunate division of Kerala into three different political units has been in this case too responsible for the continuance of such evils in Malabar. Though the question will have to be solved by us separately, there are various other matters which only a consolidation of Kerala into the political unit can solve and though it is not possible to prophesy what is in the womb of future for Kerala, attempts must be made early enough, whenever practicable, to unite in all possible ways and for all common purposes. It is some consolation to the Congressmen of Kerala that they have striven in however humble a way to fight against the abominable evil and well may they congratulate themselves for the successful termination of the Vykom Satyagraha. Time has wrought remarkable changes in the mentality of the orthodox section but the evil is there and we require many more stalwarts to fight against the demon and root out the evil from our province. Let us hope that a time will soon come when as a result of earnest endeavours and spread of liberal ideas, we shall be able to hold our head aloft and proclaim to the world that in this beautiful country of ours, it is not only nature that is kind and charitable but also man."

### The Presidential Address.

The Presidential Address of Mr. B. G. HORNIMAN was delivered extempore. After thanking Mr. Madhavan Nair and the delegates of the Kerala Conference for the honour they had conferred upon him by electing him as President of that Conference Mr. Horniman said:—

"I just want to refer briefly here in this connection to another matter which is closely related to it and that is the outrageous plan of colonising the Andamans with Moplahs and the questionable method (to use a mild expression) which have been used to force such an unpopular and repellant proposal on an unwilling people. I desire to say nothing as to the motives of those, who are responsible for this but I earnestly hope that not only the members of the Moplah community but the members of all communities in Malabar will do all they can to resist this monstrous proposal from being carried further into effect."

Referring to the Malabar Tenancy Bill, Mr. Horniman said that there could not be a more scandalous instance of the unrepresentative character of the Government in this country, its lack of sympathy with popular grievances and demands and its indifference to the economic needs of the people. "Here we have a system of land tenure and tenancy which is prima facie wrong in principle, differs from that prevailing in other parts of the country, notoriously causing great hardship to those real producers of the nation's wealth, the tillers of the soil, by placing them at the mercy of hereditary owners who like the lillies of the field toil not neither do they spin. Moreover, this system has been condemned again and again by committees of enquiry appointed by Government itself." He then traced the history of the various enquiries conducted by officers and committees appointed by the Government since 1881 which had all reported recommending occupancy right to the cultivating tenants and said, "Thus we come to the year 1925 when a measure dealing with the question in a very moderate way was introduced in the Legislative Council by a non-official member and went through all its stages and was finally passed. Lord Goschen saw fit to veto the measure on the advice I suppose of the Law Member, Sir C. P. Ramaswami Aiyar. How the Governor of Madras can reconcile this with his



consciousness and the responsibility he bears to the people over whom he has been appointed to govern passes my comprehension. What ever else may be said about the Reforms Scheme it is not mitigated as we see day after day by such instances of the irresponsibility of Governors and bureaucrats who are still teaching the people the value of responsible Government and the urgent need of it not by giving by instalments but by the example of irresponsible Government which they themselves are continually practising."

#### The next Congress.

"I think Madras is to be congratulated on having the honour of being the venue of the next Congress. A Madras man is the President of the Congress and we are looking to him to give the country a strong lead, a programme of uncompromising resistance to foreign rule in whatever form it is offered that will be consolidated and unanimously sponsored by the representative of the nation when the Congress assembles in the city of Madras next December. The national movement has receded lamentably during the last two years and there is much ground to be recovered. Indeed a fresh start must be made. There is only one way to succeed in politics especially in a great struggle for national freedom. Once you have adopted a policy and programme, stick to it, stand by it in fair weather and in foul. If we allow ourselves to be turned aside into other paths by every obstacle we meet or by the specious invitations of our opponents to consider the attractiveness of some weakening compromise, we can never expect to attain success. It seems to me that no sooner do we get started along a straight path than all sorts of so-called leaders to whom we have trusted begin to fall out on the way, discovering various kinds of reasons why they do so and why they should give up the programme that has been laid down. The result of the abandonment, or to be strictly accurate, the suspension of the non-co-operation programme, was the demoralisation of its followers. But I want to say this for myself because I have been accused of having personal antipathies. I want to say that I have no personal feeling in regard to any of the leaders of the Indian national movement to-day; but I do feel strongly when I see men who have been trusted by the rank and file with the mandate of the Congress which carried the considered decision of the national voice of India when I see them instead of performing that duty turning aside into other paths doing something against the policy and programme which has been authorised by the National Congress.

#### Dangers of Council-Entry Programme.

Adverting to the dangers of the Council-entry programme, the President said "We see now that those dangers are very real dangers indeed and have actually produced the result that we feared they would produce. We find the Swarajist party in the Indian Legislative Assembly, instead of carrying on a strict policy of uncompromising non-co-operation and obstruction, carrying on a policy of following a mode of conduct which to my mind friends, is nothing less than actual co-operation with the system of Government which they wanted to abolish. It is the most deplorable thing that while the mandate of the Indian National Congress very clearly laid upon the Swarajist party, that is to say, the Congress party in the Indian Legislative Assembly the duty of obstruction and especially the duty of throwing out the finance bill, we find the Congress party in the Legislative Assembly actually, or at any rate the leaders of the Congress party

in the Assembly, giving orders to their followers that the reading of the Finance Bill is to be allowed to be passed without a division. I say it reflects very great credit on those younger members of the Congress party in the Assembly who were more loyal to the Congress mandate, refused to accept that order to disobey the Congress mandate, and insisted upon the division against the third reading of the Finance Bill being taken. I want to say here from this platform that what has happened recently in the Assembly and in some of the Councils is a greatest betrayal of the Congress mandate.

"In the Madras Legislative Council where the hopes of the country had been so highly raised by their wonderful success at the elections we find there again the mandate of the Congress being defied and betrayed by actions which, whether directly or indirectly, at any rate, result in the support of the Ministry, a thing which they were definitely instructed by the Congress that they must not do. I have been reading in some papers this morning reasons put forward for us on behalf of the Congress Party in the Madras Legislative Council for the action that they pursued and I am told that they were faced with the prospect of either the Justice Party being put into office or of a dissolution and they thought that it was not to run the risk of either. My friends, it does not matter what they were faced with, it does not matter what danger they thought was before them, what would be the results of the consequences of their action.

"If they have had any misgivings at all about it, there is the way open to them and to all of us when we cannot carry out a mandate and that is to resign their seats and to say that they are unable to carry out the mandate that has been confided to them."

"Now I want to draw your attention to this. We have arrived at a stage when it seems to me that we are going to be faced with the question of whether we are going to continue to stand for the principle and practice of non-co-operation or whether we are going to admit failure and abandon the policy and programme that we pursued during the last seven or eight years, and agree to a policy of co-operation. Because there is no alternative between the two, there can be no compromise between co-operation and non-co-operation, no matter what adjectives you may use because they are two absolutely contradictory and different principles. Now why did the country adopt a policy of non-co-operation, why after striving for years and years in the path of co-operation with the foreign rulers did the whole country as by the stroke of a magic wand suddenly come to the conclusion, and the right conclusion, that so long as they co-operated and compromised their political serfdom, so long as they acquiesced in political slavery, so long could there be no hope that the country would ever be free."

"If India wants to be free, no matter whether in the immediate future or no matter how long it may take to achieve freedom, if India wants to be free—a free and self-respecting nation among the peoples of the world—that can only be by the steadfast pursuit of the uncompromising determination not to co-operate with the foreign Government in the imposition of foreign rule on the country."

"I ask you whether there is to be seen any encouragement in the attitude of the British Government at this moment to justify us in departing in any way in the smallest degree from the rigid programme of non-co-operation that we had hitherto pursued. Is Lord Birkenhead offering any

sort of generous gesture that would encourage us to believe that he means seriously to give the country anything that is worth having if he gets the co-operation for which he is always asking? He quotes Lord Chalmersford as saying that autocracy in India is dead. But it is dead neither in India nor in Whitehall. This twentieth century ex-Lord Chancellor will continue to inflict on India the wicked methods of the Chamber rule of the 17th century in England, methods which led to the dethronement and execution of a king when they were practised on Englishmen in those days. He refuses to release the Bengal detenus. Indian troops are sent to China without reference to the opinion of the Indian legislature which is refused permission even to discuss the question. Is autocracy dead? India's elected representatives by an overwhelming majority rejected the one shilling six pence ratio but it is forced on the country by the official block voting to the order of the Government. Is autocracy dead? India's elected representatives reject the army vote as a protest against the monstrous burden of military expenditure for imperial purposes. It is restored by the certificate of the Governor-General. Again, we ask, is autocracy dead? India's elected representatives reduced the salt tax, the most hated burden of the Indian people. It is restored by a second chamber which cannot claim to be in any way representative and the Viceroy was ready with pen in hand to restore it again if the Assembly again rejected it, as he had the power to do so. Again, I ask, is autocracy dead? Such instances could be multiplied indefinitely. The talk of autocracy being dead is a cruel mockery and cruel jibe at the helplessness of the Indian people. Lord Birkenhead knows that autocracy is not dead. The central feature of the Montagu reform scheme was to ensure its survival. I ask you, are we going to give up the policy of non-co-operation? I have no doubt that so far as this conference is concerned the answer which Lord Birkenhead will get will be uncompromising adherence to the policy of refusing to co-operate with him and his Government until they come to their senses.

#### "Overhaul Congress Machinery."

"Now there are two things that I want to put before you for your consideration to-day. One is a consideration in view of the matters that I have discussed, the consideration of the programme and policy which the country is to pursue in the near future. The other matter which I want to put before you is the urgent need for making the machinery of the Congress constitution a really democratic and national machinery instead of the unsatisfactory machinery that it is at the present moment."

After describing certain alleged irregularities in the procedure of the last Congress at Gaubati Mr. Horniman pleaded for a thorough overhauling of the machinery of the Congress for the purpose of ensuring the election of all its bodies to Provincial Congress Committees to the All-India Congress Committee and the Working Committee of people who really represent the voice of the nation, the rank and file of the Congress. He said: "It would take a very long time, ladies and gentlemen, to go into the whole of that matter in detail at present. All I am going to suggest to you this afternoon is that you should give your support to the proposal for an enquiry in order thoroughly to overhaul the elective machinery and constitution of the Congress in order that it may be made a genuinely democratic body."

The Conference then adjourned (to meet again on the next day the

17th April when the resolutions as drafted by the Subjects Committee on the previous night was discussed and passed. The following are the text:—

### Resolutions.

(1) This Conference fervently prays to God that Mahatma Gandhi may soon be restored to health and be enabled to continue his work.

(2) This Conference while appreciating the enthusiasm evinced by all classes of people in subscribing towards the Khaddar Fund appeals to them all to help the national movement further by taking to spinning and habitual wearing of Khaddar.

(3) This Conference places on record its sense of profound loss the country has sustained in the death of Swami Shradhananda and calls upon the people to carry on the great national work he was doing as the fittest tribute to his services and sacrifices for the country.

(4) This Conference congratulates the Maharani-Regent of Travancore on her liberal and courageous action in stopping the barbarous practice of sacrifice of animals and singing of obscene song carried on in the name of religion and urges upon the Maharaja of Cochin and the owners and trustees of temples and the public generally to follow the lead of the Maharani-Regent.

(5) This Conference condemns the action of the Government in persisting in the Andamans scheme in callous disregard of the dictates of humanity and justice and in utter defiance of public opinion and calls upon the people to continue the agitation against the said scheme till the Government finds itself compelled to give up the same.

(6) This Conference heartily sympathises with the people of China in their struggle for freedom and places on record the sense of humiliation and resentment of the people of this country at the action of the British Government in compelling India to be a party to their unworthy imperial adventure in China.

(7) This Conference requests the A. I. S. A. to do its best to improve hand-spinning and khadi-wearing in Taliparamba, N. Malabar, which is a cotton-growing locality and also the M. L. C.'s of Cochin to move the State to do the needful in the matter of hand-spinning in the cotton-growing localities of the Chittur taluk where the art of spinning has gone out of fashion only a decade or two ago.

(8) This Conference is of opinion that strenuous attempts should be made to organise peasant labourers and depressed classes all over the province and to bring about their social and economic prosperity.

#### (9) Untouchability and unapproachability.

"This Conference earnestly appeals to the people of Kerala entirely to do away with the custom of unapproachability and untouchability and appeals to all Hindus not to exclude any Hindu from any temple, tank, well or road on account of his caste or class."

#### (10) Mr. M. P. Narayana Menon's Case.

"This Conference solemnly declares its emphatic faith in the absolute innocence of Sriman M. P. Narayana Menon and records its deliberate opinion that in continuing to keep him in jail, the Government is guilty of an act of gross injustice. This Conference is further of opinion that the terms recently offered to him by the Government are an insult to the public and merely a ruse to avoid satisfying their demand for his release."

#### (11) Amnesty to Rebellion Prisoners.

"This Conference considers it essential in the interests of justice as well as economy that general amnesty of rebellion prisoners should be declared or at least of those who have not been found guilty of acts of violence."

#### (12) Non-Co-Operation against Oppressive Jemias.

"This Conference is of opinion that legislation giving fixity of tenure to the tenants of Malabar is essential in the interests of the economic, social and political advancement of the district and condemns strongly the action of the Governor of Madras in vetoing the Malabar Tenancy Bill. This Conference is further of opinion that the Committee of Enquiry contemplated by the Government is superfluous and a device to delay legislation or if possible to shelve it altogether and urges upon the Provincial Congress Committee to organise a campaign of non-violent non-co-operation against oppressive Jemias until a properly framed bill removing the grievances of the tenants has been passed into law."

#### (13) Congress Party in the Madras Council.

"This Conference strongly condemns the action of the majority of the Congress

party in the Madras Council in refusing to vote down the salaries of the Minister as a betrayal of the mandate of the Congress and urges upon the A. I. C. C. to take steps to prevent a repetition of such action."

(14) Congress and Native States.

"This Conference recommends to the All-India Congress that the Indian National Congress do henceforth actively participate in the internal affairs of Native States and that the Congress constitution be altered if necessary to this end."

(15) Commercial Distress and Jealousies.

"This Conference calls upon the Hindus and Mussalmans alike to make a determined effort to put an end to communal distress and jealousies by adopting the suggestions to give up communal electorates."

(16) Congress to Capture Local bodies.

"In as much as the work of the Municipalities and local boards throughout Kasmir is unsatisfactorily carried out, this Conference resolves that all municipalities and local boards be captured by the Congress and that Congressmen be put up for election to these wherever possible."

(17) Future Policy of the Congress.

(a) "This Conference reaffirms the principle of non-co-operation as the basis of the policy of the Indian National Congress and urges that there should be no departure from the strict principle of non-co-operation in any way whatsoever.

(b) "This conference regrets that the Congress representatives in the Indian Legislative Assembly and some of the Councils have betrayed the mandate of the Congress and calls upon the A. I. C. C. to demand from such representatives an explanation of the Congress and to take steps to ensure that, in future, the mandate of the Congress should be carried out both in the Assembly and in the Councils.

(c) "This Conference is of opinion that the time has come for the reconstitution of an active programme of non-co-operation in the country and urges the appointment of a Committee of the A. I. C. C. to consider and report within three months such a programme of non-co-operation as will lead the country by stages to the culminating stage of mass civil disobedience.

(d) "This Conference is of opinion that recent events have shown the constitution and the machinery of the Indian National Congress to be defective and in some respects undemocratic, especially in regard to the machinery for carrying out the elections of various committees and urges that in all such elections the principle of secret ballot should prevail and that a regular and unanimous procedure in this principle be instituted for all such elections and it calls upon the Working Committee of the A. I. C. C. to take necessary steps to place an amendment and expansion of the present constitution and rules before the next session of the Congress for these purposes.

(e) "This Conference is strongly of opinion that the better organisation of the peasant and workers is essential for their due representation in the Congress and to enable them to play their part fully in the national movement for the attainment of Swaraj as well as the amelioration of their own conditions. For the protection of their rights and the assurance to them of their rightful share in the wealth of the country of which they are the producers, this Conference calls upon the Working Committee of the A. I. C. C. immediately to take the necessary steps by appointing workers and peasant organization Committees to carry on without delay the work of such organization."

(18) "Complete Independence for India."

"In the opinion of this Conference, the time has come to define the creed of the Congress as complete independence, and this Conference recommends to the Indian National Congress that necessary alterations to this effect be made in the Congress creed."

President Thanked.

Mr. U. Gopala Menon then in a short speech expressed their deep debt of gratitude to the President for coming down from the distant Bombay and presiding over the Conference. He wished a day would come when they would have more men like their worthy president to work for their political salvation.

After a short thanksgiving speech by the President the Conference terminated.

# The Bengal Provincial Conference.

The little village Maju about 30 miles from Howrah was astir on Saturday the 16th April 1937 when the Bengal Provincial Conference commenced its sitting at Deshabandhu Palli. The proceedings commenced with the singing of the national song 'Bande Mataram', the whole house standing.

## Dr. Nandi's Welcome Address.

This over, Dr. P. Nandi, Chairman of the Reception Committee read his welcome address.

In welcoming the delegates, Dr. Nandi said that what they wanted more than anything else at the present moment was to restore India to the position she had lost. In order to secure independence for her it was essential that nationalism should be remodelled. Every Indian should think that, although their manners and customs might be different, they all belonged to one and the same great nation. The greater the number of communities the less was the chance of salvation. An insult to one ought to be regarded as an insult in all the others; and nationalism would only be built up when every Indian would respond equally to all endeavours for the welfare of the nation. The present Conference was an instance in point. There might, however, be those who did not sympathise with such movement; and it was only when they would be able to apply themselves heart and soul to endeavour of this kind that nationalism and independence would be regarded as having been established. The goal would be reached only when the country would learn to value public opinion, at least the opinion of the majority. This, in fact, was the foundation stone on which the edifice of nationality could be built.

Dr. Nandi dwelt at length on the two most important political questions of the day, namely, the split in the Congress camp and the existing Hindu-Moslem relations, and emphasised the need of physical culture and female education. He regretted the action of some of his countrymen, who were well-known for their patriotism, in standing aloof from the affairs of the nation and concluded that the time had come when they should come forward and guide their misguided brethren in the work of national reconstruction.

## President's Speech.

The President then rose amid prolonged cheers and shouts of "Bande Mataram" and delivered his Presidential address.

"Unite, carry the message of charka to every cottage, take to the boycott movement. This will be the right challenge to the bureaucracy who are keeping our youngmen in prison without trial," said Sri Jogindra Chander CHAKRAVERTY in course of his lengthy presidential address. Deploring the schism in the Congress camp in Bengal and the communal quarrel he appealed to the good sense and patriotism of all to sink their differences

and to give a united fight to the bureaucracy who might be rejoicing at their discomfiture to gain their own ends. By their quarrel they are losing their hold on the people and the Congress its prestige. He expressed the hope that members of both parties would attend the Madras conference and as a result of their joint deliberation would evolve a new Congress organisation to take to the work of the nation with renewed vigour and enthusiasm.

"About ten days ago" said Sj. Chakraverty, "a request was made to me to accept the presidency. I was at first unwilling to undertake the task in view of the prevailing atmosphere but I felt that every humble worker in the cause of the country ought to make his utmost endeavour to see that due to differences the work of the conference might not be frustrated. With this end in view I undertook the responsibility which Mr. J. M. Sen Gupta has not ventured to accept. I feel it has been an act of great hazard for me but it would have been unjust to see the efforts of the Reception Committee go for nothing. I have full confidence that with the blessing of the Almighty and help and co-operation of friends I shall be able to discharge my duty under a most difficult situation with satisfaction to all.

#### Bengal's Woes.

Referring to the woes and worries that are afflicting Bengal and the problems that confronted her at the present moment the President said :— "The communal question which has assumed such serious proportions and which is oppressing men and women of Bengal attracts our foremost attention. The ugly and unseemly scenes that were enacted on the streets of Calcutta about this time last year had their repercussion in the mofussil, have converted the whole Bengal into a veritable pandemonium. Hindus and Moslems had lived together for the last 800 years in villages in bonds of fellow-feeling and brotherhood with no question of music to disturb the serene tranquility of the villages and to-day mutual hatred, intolerance and suspicion is driving the nation headlong into ruin. From the excesses committed it appears that the dream of the Hindu-Moslem unity has vanished like a phantom. Is there no hope of reunion between these two communities? I beg of you, brother Hindu and brother Moslem, do not shatter our dream of establishing Swaraj in the land through the united efforts of Hindus and Moslems. Hindus and Moslems might be obsessed with a nightmare for the time being, but I have full faith that they will come to realise their follies very soon and the fact that for their self-preservation they will have to make up their differences themselves.

#### Moslems and Congress.

"I have to note with great regret that the Moslems as a part and parcel of the Indian nation have practically cut off their connection with the Indian National Congress. The organisation which has been reared up as a result of 40 years' sincere efforts of the best minds and brains of the country can alone direct us the way towards freedom. When a nation steeped in woes of age-long slavery feels the stirring of a new life of freedom within itself it cannot be expected that everyone will take the same route in the march towards freedom. But if the Moslems think that they are to strive for their own freedom independently of Hindus and the Hindus think likewise, this mentality should be knocked on the head as soon as possible. Seven years ago, at the call of Mahatma Gandhi, Hindus and Moslems vied with each other

in furthering the work of the Congress but things have changed since then. It is natural that our trustees—the bureaucracy who are keeping us under subjugation at great pains—cannot look upon the Hindu-Muslim Unity with favour. These differences are strengthening our trustees and giving them delight. I beseech you, brother Hindu and other Muslim, forsake this suicidal policy, come under the banner of the nation hand in hand and take up the proposals made by the All-India Congress Committee and the atmosphere of suspicion and distrust will vanish in no time "

#### Wrongful Detention of Patriotic Youths.

The President then strongly criticised the Government policy regarding detention of youths of Bengal without trial. Such detention, he said, was possible only because we were weak. The statement Lord Birkenhead made in Parliament the other day was an insult to India and it was possible only in a country like India. The Secretary of State for India in defending the policy of indefinite detention in jail declared that these youngmen would be confined in jail so long as the present political atmosphere of Bengal had not changed and even the semblance of revolutionary movement was not remembered. But what hope was there when it depended on the report of the C. I. D. police who would never say that danger was over. The secret of it all is that unless these flowers of the nation was shut out from public activities there was no chance of throttling the Swaraj movement which the bureaucracy was always seeking to do by all means. With brute force at their back the bureaucracy can pass any legislation they chose to curtail the birthright of the people. The Indians they say can bark but cannot bite. Had Indians been strong all these would have been a thing of the past.

#### Stand against Exploitation.

"We have accepted Mahatma Gandhi as our political Guru but we have failed to take up in right earnest the means suggested by him for the attainment of our goal—means which he has suggested as a result of long service in the cause of the country: Foreign domination is based on exploitation, pure and simple. It is possible to stand against this policy. Remedy lies in the spread of Charka and Khaddar but unfortunately we have not as yet been able to fully appreciate this invaluable message of Mahatmaji. Had we been able to work out this message even partially British merchants would have realised that Bengalis have strength".

In the memorable words of Deshbandhu Das the President said: "The great answer which I want to give to the bureaucracy to-day is boycott of foreign cloth. This is the answer which I want to give to the bureaucracy. It not only demolishes their claims but at the same time builds your national life in a manner which nothing else can do. Those who do not spin must look to the organisation of spinning. Those who do not weave must look to the organisation of weaving. And if we all work hard and do our little, the least that anybody can do, I feel sure that within a short time you will encompass the boycott of foreign cloth. And that day is the beginning of our freedom. That day will be the foundation of our salvation. That is the gospel which I always preach."

#### Utility of Charka.

"As long as the Bengalees will live they will carry this message. Where is that organisation which Deshbandhu urged so repeatedly! Have the Con-



grass committees in Bengal made any sincere effort towards the spread of Khaddar? Have they been able to do even one hundredth part of what the Khadi Pratiathan and Abboy Asram have done? Let us then rectify our mistake. Let us take to the boycott movement in right earnest and carry the message of the Charka into the cottages of the poor. I feel the problems of Hindu-Moslem unity, reconciliation among Congress workers, of untouchability and other items of the Congress programme can be profitably solved by the introduction of Charka and Khaddar". The President then made several suggestions in which village reconstruction work can be conducted and health, prosperity and bounty can once more be brought back to the ruined villages of Bengal.

#### Peasants and Labourers.

"We have to explore wherein lies the woes and agonies of the peasant and the labourer. Congress will become powerful only when the peasant and the coolie will themselves be able to carry the flag of the Congress. The story of the woes of the Hindus and the Musalmans is the same and village work must form the meeting ground of the Hindus and Moslems. Many think that the establishment of Hindu Sabhas and Tansim Committees in the land will cause harm to the country as being communal institutions. Communal interest has no quarrel with the larger interest in the country. We have been unable to make up our differences because we were not able to lead our respective communities on proper channels".

#### The Council Programme.

Referring to the Council programme the President said that he did not think that the Council was the only programme of the Congress. The President continued: "When we find that Government ride roughshod over the feelings of the Council members by disregarding their opinions, that members are allowed only to express their opinion on the budget without having any power to fix the amount for any item and that resolutions supposed to be in the interest of the country which are accepted by the Council after discussion are not binding on the Government, we cannot but conclude that it is useless to remain in the Councils. But there is another aspect of the question which can not be ignored. The Government want that any act before it is passed into law must be accepted by the Council where some members represent Government whose duty it is always to vote for Government. Legislation accepted by the Councils can be paraded before the world by Government as having been accepted by the representatives of the people. We should not allow Government to do this. It is to foil this trick on the part of the Government that Congress wanted to capture the Councils. In the words of Deshbandhu, the President said, "I have said over and over again that the Council does not give you Swaraj but the Council is at the same time an institution which works against you. You must remove that obstruction in order to get Swaraj from it. But you must get Swaraj by your own activity." The Council is not the only programme of the Congress. Nor do we hope to do any substantial good to the country by leaving the Councils. During the first three years of the Reforms when the Councils were boycotted by the Congress, men could be enter them with the result that Council proceedings went on un-  
Our leaving the Councils can be supported only when men stop to contest the election"

Concluding, the President made a fervent appeal for unity and in the name of St. Subhash Chandra Bose and other unfortunate youngmen of Bengal who were rotting in jail he implored the leaders of all parties and communities to unite on a common platform of service to the nation forgetting all petty differences and take up the true work of the country in right earnest.

## Resolutions.

The following are the full texts of the resolutions passed at the Bengal Provincial Conference held at Maju on April 16 and 17:—

(1) This Conference places on record its sense of the irreparable loss the nation has sustained by the tragic death of the brave and noted patriot Swami Shradhananda, who dedicated his life to the service of his country and espoused with fearless devotion the cause of the lowly, the fallen and the weak.

(2) This Conference records its sense of deep sorrow at the untimely death of Krishnajibon Sanyal and sympathises with the bereaved family.

(3) That as a measure of effective protest against the continued detention without charge and trial of a large number of our countrymen (under the Bengal Criminal Law Amendment Act and Regulation III of 1918) this Conference urges the adoption and vigorous pursuit of a programme of intensive boycott of all British cloth and also of all such British goods the like of which are produced in India or obtainable in any other country other than Britain.

(4) This Conference regards handspinning and handweaving as an essential programme for constructive work and requests all Congressmen and public to spin and wear Khadi. It further recommends the Bengal Provincial Congress Committee to form a Khadi Board for helping the provincial work and carry out the Gauhati resolution.

(5) (a) This Conference, while deploring the virulence of communal outbreak in various parts of Bengal makes a solemn and earnest appeal to all Congress members and Congress workers to hold before their vision the ideal of Hindu-Muslim unity, to work incessantly and strenuously for the promotion of better understanding between the two great communities as far as possible, to keep aloof from all sectional and communal movements which tend to keep alive the present tension and always and everywhere to act as messengers of peace, good-will and a spirit of humble compromise.

(b) This Conference deplores the serious loss of life that took place at the village Kulkati on the 22nd of March last as the result of an order to open fire upon Mahomedan crowd given by Mr. Blandy, the District Magistrate of Barisal and while reserving final judgment upon the necessity or otherwise for giving such order, this Conference emphatically urges that a full, open and impartial enquiry should be held into the matter, and this Conference would request the B. P. C. C. to appoint a non-official commission for that purpose.

(6) This Conference urges on the B. P. C. C. the appointment of a consultative Board of equal number of members from both the communities

of Hindus and Moslems to settle communal quarrels and look to the re-establishment of friendly relations between the two communities. The Board will tour in the localities where trouble is apprehended and establish a

(7) This conference strongly condemns the culpable delayed negligence of the Government in the matter of re-introducing their Bengal Tenancy Amendment Bill and urges that a Bill should be introduced at the next Session of the Bengal Legislative Council when among other things will make provision for the following:—

(a) Transferability of occupancy holdings upon payment of a minimum amount of salam by way of Landlords' fee.

(b) Recognition of the tenants' right to cut trees, big tanks and erect pucca structures upon the Zeminder's land.

(c) Maintenance of the status quo as regards bargadars bang tenants and Karia of under ryots.

(8) This conference declares that the country will not consider any scheme of taxation for education until and unless the proceeds of such taxation and the policy of Primary Education is completely vested in the popular control.

(9) The conference requests the B. P. C. C. to arrange publication for the information of the public of reports at least every three months regarding the grievances, health and whereabouts of the political prisoners in Bengal.

(10) (a) The conference urges appointment of an enquiry and organisation of relief for help of those needy families who had suffered or are suffering in the hands of the Government in their struggle for the country's freedom and (b) urges starting of relief fund for help of such sufferers.

(11) In view of the fact that an honourable settlement between the two disputing Congress parties cannot further be delayed without serious harm to the cause of the country, this conference resolves that the leaders of both parties in consultation amongst themselves should fix a date within the 30th of April to meet once again to discuss and settle the lines of an effective compromise between them and requests Sj. Jogendra Chandra Chakravarty, the President of the Provincial Conference at Maju, to take all necessary steps in the behalf.

(12) This conference urges upon the Bengal Provincial Congress Committee immediately to appoint a strong and representative committee in order to enquire into the origin, administration and the present position of the Village Reconstruction Fund which was Deshbandhu's last and most striking legacy to his countrymen.

(13) This conference while it dissociates itself from and disapproves of the military policy of British Government to send troops from India to fight against the Chinese people, congratulates the young China and the Chinese nation on the recent success and assures them of the sympathy and good-will of the Indian people in their hour of peril.

# The All-India Hindu Mahasabha.

The tenth session of the All-India Hindu Mahasabha opened at \_\_\_\_\_ on the 16th April 1927 and continued for the next two days under the Presidentship of Dr. Moonjee. Three hundred delegates and about 1,300 to 1,400 visitors attended. Madras and Bombay were unrepresented. Those present on the platform besides the President and the Chairman of the Reception Committee included Raja Narendranath, Lala Lajpat Rai, Mr. Rajendra Prasad, Mr. Gouri Shanker Misra, Hon'ble Mahendra Prasad, Mr. S. Sinha, Mr. Deviprasad Sinha, Mr. Sheopat Gupta, Mr. Jagatnarain Lal, Sri Gurumukrai Swami, Swami Satyadev and Pandit Madan Mohan Malaviya. Mr. P. Ray Chaudhuri, Secretary, Hindu Sabha, Glasgow, cabled sympathy and a donation of £3-10s. for the Shradhanand Memorial Fund. Raja Rampal Singh, Mr. Bhagwandas, Mr. C. Vijayaraghavachariar, Sir J. C. Bose and the Hon'ble Mr. B. Chakravarti also sent messages of sympathy.

A dozen Akalis holding swords went about the pandal shouting Jai Jai and Sri Sat Akal.

At 4-30 p.m. the President-elect accompanied by the Hon'ble Mr. Ganesh Dutt Singh, Kumar Ganganand Sinha, Maulvi Abdal Bari, Messrs. Jairamdas Daulatram and others entered the pandal and was warmly applauded. A Vedic chorus was then led followed by Hindu music. Kumar Ganganand Sinha, Chairman of the Reception Committee, then delivered his welcome address.

## The Welcome Address.

In the course of his address the Chairman pointed out in brief some of the urgent problems that must engage the serious attention of the Hindu Sabha. He first of all dealt with the importance of Sangathan, Shudhi and removal of untouchability and referred to the Patnakhal Satyagraha movement and urged the Hindu Mahasabha to take up that question in its own hands. For, if it was not taken up by that body, there was the danger of that movement being ultimately crushed, but before doing so the Hindu Mahasabha should enquire into and judge of the situation from all points of view.

\* Proceeding he deprecated and condemned the communal riots that had taken place in the country in recent times.

Regarding the question of joint electorates the speaker pointed out that the Hindu Sabha had to consider that question seriously with considerable far-sightedness. He was glad that the Mussalmans prompted by a spirit of nationalism had agreed to the joint electorates but the Hindu Sabha had to consider the various conditions from the larger interest of the Hindu public. There could be no greater achievement if real unity would be effected between Hindus and Mussalmans.

He also referred to the case of Kharg Bahadur and urged the Hindu Sabha to express its opinion on that case as also to devise means to stop this blot of traffic in girls.

## The Presidential Address.

Dr. B. S. MOONJEE then delivered his speech extempore in Hindi. The following is a summary of his address :—

He referred at length to the Mahomedan conquest of Hindustan and to the methods adopted by the Mahomedans in converting people whom they conquered in Afghanistan, Kashmir and Bengal. By their slow process of conversion, Mahomedans had been able to make up their minority in Bengal into a distinct majority reacting on Hindu conservatism. He pleaded, therefore, for a more liberal outlook on the part of the Hindus in matters such as re-admittance of those Hindus who had been converted to Islam under compulsion, better treatment of women ravaged against their will and a more humane and considerate treatment of untouchable classes. The treatment meted out to them by the so-called higher classes of Hindus was helping to swell the ranks of Muslim population in India. He had no doubt in his mind as to the unfitness of Hindus, in their present helpless plight, against a sister community's aggression, to wreck British rule and earn and maintain Swaraj. Continuing, he referred to the Mahomedan organisation to convert the Hindus by instilling the idea into every Mahomedan's head that it was a virtue to get at least one kaffir converted to Islam and asked what steps the Hindus proposed to take to prevent depletion in their numbers. Dr. Moonje then proceeded to discuss at length the question of the removal of untouchability and differentiated between what he termed temporary untouchability from a hygienic view-point and permanent untouchability handed down from father to son. He condemned in strong terms the latter disability which was welcomed by Mahomedans for purposes of getting these disabled men into their own fold. He then quoted a number of Sanskrit texts from the Dharma sastras and other Hindu scriptures to prove that there was no meaning in the perpetuation of caste differences and in permanently disabling a certain section of the society by the institution of untouchability. Pleading for an effective reconstruction of Hindu society, the President urged the withdrawal of many a social custom such as the ban on sea voyages, the ban on inter-marriage and inter-dining, etc. He would remind his hearers of the ancient rule, namely, that by the process of education and learning the lowest could rise to the highest. He then appealed to the Hindus to support the Suddhi and Sangathan movements in which alone their salvation lay if they desired to save themselves from disintegration.

### Joint Electorates.

Continuing, Dr. Moonji referred to the Hindu-Moslem relations of to-day as a perpetual civil war and said that the communalism of Mahomedans was very much encouraged by utterances of Hindu Congressmen. Analysing the causes of communal relations, he said that, while the Hindus, although fired by great ambitions, were weak in physique the Mussalmans with a better physique had shown a better instinct for politics and higher independence of thought. He charged the Moslems with having imported religion into the purely political movement of non-cooperation thus leading to a wave of pan-Islamism. To this mentality he attributed Raja Ghasnafar Ali's proposed amendment to Mr. B. Das' resolution reiterating the National Demand in the Assembly. That showed that the Mahomedans were unwilling for the extension of Reforms without separate electorates. For this reason the speaker paid an eloquent tribute to Sir Sankaran Nair for his resolution in

had some element of wisdom she would take the last chance of improving the situation.

Dr. Varadarajulu NAIDU in seconding the resolution said that the British Government had taken advantage of the existing dissensions in the country to advance the date of the appointment of the Commission. But they had by their resolutions during the past two days shown clearly that there was absolutely no difference between them in regard to their political demands. They had before them a number of Swaraj Constitutions prepared by leaders, and it was necessary that they should be examined by the Working Committee and a Swaraj scheme prepared in conformity with the resolution passed yesterday by the Congress that their goal was complete national independence.

After some more speeches the resolution was declared carried, two voting against it.

#### 18.—Delegate's Fee.

Mr. A. Rangaswami IYENGAR, General Secretary of the Congress, moved that in Article 11 dealing with delegate's fee, Rs. 5 be substituted for rupee one. The motion was put and lost.

#### 19.—Member's Subscription.

Mr. A. Rangaswami IYENGAR next moved that the annual subscription of every member of the All-India Congress Committee be Rs. 10 and said that the very attenuated condition of the Congress funds was the reason for fixing the annual subscription of an A. I. C. C. member at Rs. 10.

The resolution was carried.

#### 20 & 21.—Other Resolutions.

The President, in concluding the session, spoke as follows :—

Brother Delegates, Ladies and Gentlemen.—Now I have got to place before you a few formal resolutions. The first one is that relating to the retiring Secretary. The resolution reads thus :—

"This Congress places on record its great appreciation of the valuable services rendered by Mr. A. Rangaswami Iyengar and Mr. V. J. Patel, as the General Secretaries for 1927." I am sure you will all carry this unanimously. I hope there is no opposition to this.

Now the next resolution relates to office-bearers for the year 1928. "This Congress appoints the following office-bearers for the coming year : (1) Shuaib Quereahi, (2) Mr. Jawaharlal Nehru and (3) Mr. Subhas Chandra Bose as the General Secretaries. Then the two Treasures : (1) Jannalal Bajal and (2) Reva Shanker Jagjivan Javeri." Now I hope you will also carry this resolution unanimously.

The resolutions were put to vote and carried amidst acclamation, there being not a single dissentient.

#### 22.—Venue of the Next Session.

The third resolution which I ought to place before you is that which relates to the venue of the next Congress. The resolution runs as follows :—

"This Congress resolves that its next session be held in Calcutta."

This was also carried unanimously amidst loud cheers and applause.

#### Dr. Ansari's Concluding Speech.

The President, Dr. Ansari, in conclusion, said :—Brother Delegates, Ladies and Gentlemen,—Before this memorable session of the 42nd Indian

National Congress is closed, I wish to say a few words for the great consideration, for the great assistance and for the wonderful warmth of reception which Madras and my brother delegates have given me. Gentlemen, I wish to remind you that in this session you have carried through some very important resolutions. The most important one to my mind related to the Hindu-Muslim relations. I have already told you that you have not only laid the foundation of Swaraj, but you have almost won it. The next important resolution that you have carried relates to the boycott of the Simon Commission. I am sure if we all work unitedly, we shall not only gain our immediate objective but we shall be very near our goal of attaining Swaraj. The third important resolution that you have carried—just passed—is that which relates to the Constitution. You have not only got to boycott this Simon Commission but you have got to prepare the constitution and you have to place that constitution for your future guidance and for the information of the entire world including the British nation—that is your ideal and that is what you want.

Gentlemen, you would see that in the next year you have got to do very strenuous work, very hard work if you really wish to succeed. It is not sufficient that we should pass resolutions and then forget all about them when we go back home and to our various provinces. I would appeal to you all, gentlemen, that when you leave Madras or rather when you leave this pandal you will vow that these resolutions which you have carried you are going not only to carry but you are going to act up to them and going to make a success of them.

Gentlemen, before I close, I wish to say a few words of gratitude to Mr. Muthuranga Mudaliar, the Chairman of the Reception Committee and to the Secretaries and all his co-workers who have worked so hard and who have really made this Congress so very successful, so very comfortable and so wonderfully beautiful. I wish also to thank Mr. Rajaram Pandya, Captain of the volunteers. I wish to thank his assistants, namely, the Vice-Captains, and above all, I wish to thank most cordially the rank and file of the volunteer brethren. It is really these young men who are the hopes of the country. It is really they who will bear the brunt and I know that these young men had been working hard day and night. They have really withstood the burden of the work. I owe a very deep debt of gratitude to them for having so loyally, so steadfastly, so generously given their time and labour in the service of their country. (Loud applause and cheers.)

Before I close I will only say one word about your great citizen, I mean Sriji S. Srinivasa Iyengar. I know he is the pivot on which the whole system in this city, at least relating to the political life of this province resolves. But for his wonderful personality I know half the work would not be done. I wish to thank him on your behalf and on my behalf and I pray that many years would be given him to serve his Motherland in the way in which he had been doing.

Before I close, ladies and gentlemen, I wish to appeal to you for the cause which I am sure you would most liberally support and that is the Bengal Detenus Fund. Gentlemen, I have already told you in my address the deplorable condition in which they are rotting away in their exile and internment. I appeal to you as patriots, as Indians, to help these brothers of yours who are suffering to-day only because they love their motherland too dearly.

And before I close I wish to thank Mrs. Lakshmipathi and Mrs. Kamaladevi Chatopadhaya and also the rank and file of the Lady Volunteers. Gentlemen, it is only when our women take to come out and help us in the cause of the Motherland that India will become absolutely irresistible.

Ladies and Gentlemen, I do not wish to delay any longer and I want to thank you cordially for your generous hospitality and for the warmth with which you have always received me. It would be one of the most cherished moments of my life and I shall always remember Madras for its hospitality and its generosity. (Loud and continued applause.)

#### Vote of Thanks.

Mr. Muthuranga Mudaliar, the Chairman of the Reception Committee then rose to express his vote of thanks in the following words :

Fellow-delegates and friends :—While welcoming you on the opening day of this session I congratulated you on the choice of the President. I am now happy to say that your expectations and aims have been amply justified in the last two or three days. You have seen how tactfully, how ably, in what a businesslike manner our President has conducted the deliberations of our assembly. I am sure that this year which has begun well with this momentous session of the Congress under the distinguished leadership of our President will be a memorable year in the history of our struggle for freedom. I shall not be justified in making a long speech in this businesslike session. On behalf of the Reception Committee I propose a hearty vote of thanks to our President, to the delegates and distinguished leaders who have made it convenient to attend the Congress and help us in our deliberations. I am sure that amongst the many important resolutions that we have passed in this session we may congratulate ourselves that we have unanimously passed three most important resolutions, the one on National Independence, the second on the Boycott of the Simon Commission and the third on the Hindu-Muslim Unity. In arriving at this conclusion I must congratulate our tried leaders, Pandit Madan Mohan Malaviya, Mahatma Gandhi, Moulana Mahomed Ali and others. Friends, it is not enough that we have passed these resolutions. I hope you will carry this message with you when you go back from Madras and broadcast this message to every village in your province.

I have to confess that the Reception Committee has not done what all it ought to have done. I know our President in concluding this session has paid a great tribute to the work of the Reception Committee and my humble self. I may say at once that this spectacular part of the arrangement may be all very good. But I am conscious of our own imperfections and I am conscious that we have not done all that we ought to have done for the comforts of our delegates. We have no excuse for such a weakness. But now I appeal to my brother delegates and sisters to forgive us for our shortcomings. I would also propose a vote of thanks to all other parties who have responded to our invitation. I hope this would pave the way for the union of all the parties with a view to present a united front to our enemies. With these words I appeal to you, ladies and gentlemen, to carry this resolution of thanks with acclamation.

Thus ended the great and memorable session of the 42 Indian National Congress.



# The All-India Liberal Federation.

BOMBAY—27TH DECEMBER 1927.

## The Welcome Address.

The tenth session of the All-India National Liberal Federation opened at Bombay on the 27th December 1927 before a very large gathering of delegates and visitors.

Welcoming the Federation to the City of its birth, Sir Chimanlal SETALVAD said, to-day they were meeting under very exceptional circumstances. The whole country had been moved in a manner it had never been moved before and a feeling of solidarity and unity in upholding the national self-respect and national rights had exhibited itself in a marvellous manner. The announcement of the Statutory Commission had evoked throughout the country deep and universal dissatisfaction and people of all shades of political opinion had compraised their protest.

Sir Chimanlal strongly criticised the composition of the Commission and said that the Secretary of State for India must indeed have a desperate case to support when he was driven to arguing that the framers of the Government of India Act of 1919 had in their minds the appointment of a purely Parliamentary Commission although the Section as worded did not impose any such restriction.

Referring to the proposal to constitute committees of legislatures Sir Chimanlal uttered a note of warning against being carried away by suggestions and pious hopes of Labour Leaders or by the honeyed words used by the Prime Minister that Indians would be approached as friends and equals.

In the scheme there was nothing conceded to Indian legislatures, declared Sir Chimanlal, beyond what would be perfectly open to them to do without the scheme mentioning it. The legislatures or their committees had no more status and no more power than that of submitting their views like any other witness, which could be accepted or rejected. Further, all freedom which Sir John Simon and his colleagues could give would only be to liberalise the procedure as much as they could but not create equal status or confer equal rights on the committee of the Indian Legislature.

This being the real nature of the association offered to India in the work of determining her political future, Sir Chimanlal asked, could India with any self-respect agree to accept the position offered to her? It was for the Federation, speaking for the Liberal Party to give the answer but he suggested that it should be an emphatic negative. Their position was plain. The scheme as announced was unacceptable and they could not take any part in it. If fresh proposals or modifications were made they were prepared to consider them with an open mind. They had raised their voice in warning and the responsibility lay heavily on the Government. They had to make up their minds and the quicker they did it the better to retrace their steps and rectify the great blunder they had committed or to persist in their mistaken course and work an everlasting harm both to India and to England.

## Sir Sivaswami's Tribute to the President-Elect.

After the welcome address Sir Sivaswami Iyer, proposing Sir Tej Bahadur Sapru to the chair, said it was only necessary to remind the gathering, not inform them, of the many great personal qualities and achievements as a public man of their President-elect. His public spirit, sterling independence of character and his quality of talking straight to the enemy at the gate made him the man they require at this juncture.

Sir M. V. JOSHI, seconding the proposal, thought the party could not get wiser guidance than from Sir Tej Bahadur who was the speaker's ideal of what a sturdy Liberal should be. By accepting him as the President they would show to the country that they had not deflected from Liberal and

constructional methods. The proposal having been duly supported by Messrs. Desai and Hridayanath Kunzru, Sir Tej Bahadur took the chair amidst cheers and delivered his address. The following is the text:—

### The Presidential Address.

In the course of his speech Sir Tej Bahadur Sapru discussed threadbare all the points of the coming Statutory Commission. At the outset he remarked that though they had declared their opinions on it on their own responsibility, it was for the Party now which had met together for the first time since the Viceregal announcement, to declare its opinion in its collective capacity. For nearly six months, he continued, before this historic commencement, speculation was rife as to its character and composition and the Anglo-Indian press and publicists with only two solitary exceptions predicted the absolute exclusion of Indians on its panel. It was surely remarkable that they should have some months ago, so vividly anticipated the decision of the Government. When surprise was expressed at what was supposed to be a premature disclosure of the names of the members, Lord Birkenhead had to confess that he had to take into confidence a large number of persons in England and invite their opinion. Whether similarly a large number of Europeans in India were also taken into confidence and whether their counsel was invited could be very well understood from the above circumstances. However, when this was going on behind the scene he, writing to the Press so far back as June last, gave a note of warning to the Government that an exclusively Parliamentary Commission with no Indian element could make no appeal to any section of the Indian opinion and would not carry with it Indian confidence and support.

### The Rubicon Crossed.

Continuing he said:—"During my recent visit to England—short as my stay was there—it became abundantly plain to me that the mind of government had already been made up; that India could not hope for any support for its viewpoint from the Conservatives of the Liberals and that, at any rate, so far as some of the Labour leaders were concerned they had placed serious limitations upon their liberty of action. The English Press could not or would not tolerate the expression of a different opinion on the subject and when in a leading article the 'Times' wrote that the personnel of the Statutory Commission must be exclusively British it left no room in my mind that the Rubicon had been crossed. The fiat had gone forth and it could no longer be revoked.

"It is impossible to believe that an all-wise and far-seeing government could not or would not anticipate the repercussions of such a policy on Indian mind. No doubt it reconciled itself to its decision in the hope and belief that the outburst of indignation and discontent in India would be a short-lived one, that the Swarajists were more interested in nursing grievances than in having them removed and that therefore they could easily be disposed of as the irreconcilables in Indian politics; that the Liberals would be amenable to "ipso facto" reasoning and persuasion; that at any cost they were not a serious factor in Indian politics; that the cleavage between the Hindus and the Mohammedans was so wide that even under the pressure of common grievance they could not join hands and, lastly, there were the depressed classes who were bound to raise their piteous cry for protection against the evil designs of the more powerful upper classes and that it was clearly the duty of government to firmly refuse to listen to the demand for Indian representation and to do their duty by the weak and the oppressed.

"It was apparently in such circumstances and under the influence of such ideas that this Commission was conceived. Small wonder then if the announcement of the appointment of this Commission has instead of giving rise to a spirit of hopefulness and confidence aroused the strongest feelings on such a large scale and in such different quarters.

### Why the Commission has been Anticipated.

"It is interesting to note the reasons for the appointment of this Commission at this particular time. "So long as the unwise counsels of political non-co-operation prevailed," thus runs the statement in His Excellency's announcement of November 8th, "it was evident that the conditions required for calm appraisal of the complicated constitutional problem were lacking, and that an earlier enquiry would have been likely only to crystallize in opposition two points of view, between which it must be the aim and the duty of statesmanship to effect a reconciliation. But there have been signs latterly that while those who have been foremost in advancing the claims of India to full self-government have in no way abandoned the principles they have felt it their duty to assert, yet there is in many quarters a greater disposition to deal with the actual facts of the situation and to appreciate what I believe to be most indubitably true, namely, that the differences which exist on these matters are differences of method or pace and not differences of principle or disagreements as to the goal which we all alike desire to reach".

"I desire to speak of His Excellency with the utmost possible respect, but I venture to think that the differences of method or pace are apt at times to be not less important than differences of principle and that if a calm appraisal of a complicated constitutional problem could not be made so long as the unwise counsels of political non-co-operation prevailed there seems to be scarcely any justification for the hope that this task could be achieved by penalizing co-operation, for I maintain that non-co-operators who have co-operated during the last few years and co-operators who have always co-operated cannot legitimately feel proud of a situation which compels them to realize that in a conflict that may arise between the European view of method and pace and the Indian view of method and pace the former must necessarily prevail and the latter can only claim to be sane and reasonable if it is prepared to accept the former. Another reason assigned for the anticipation of the date of this Commission is that the Legislative Assembly has passed five resolutions calling for the appointment of a Commission. Lord Winterton was repeatedly challenged in the House of Commons to produce those resolutions but he simply fenced with challenge. The fact is that the Assembly has never asked for such a Commission, though it has repeatedly urged its views on the question of advance. Not only Col. Wedgwood but several other members of the Labour Party have correctly expressed our view that the appointment of such a Commission at a time when public opinion in England about India has been poisoned by the publication of 'Mother India' was to say the least not playing the game. There is need for some more convincing reason for this sudden fit of responsiveness on the part of government.

### Birkenhead's Plea.

"I shall not ask you to examine carefully the reasons for the exclusion of Indians from this Commission and the nature of the palliatives that have been adopted in the shape of committees. One reason which has been assigned for the appointment of a purely Parliamentary Commission is "that the framers of the original and determining Act, when they spoke of the Commission, contemplated a Parliamentary Commission. It is true that they did not so state in terms but I (that is to say Lord Birkenhead) draw the inference that they did not so state it because they thought it so obvious." He then appealed to Lord Chelmsford and the latter observed: "He was deeply committed to the belief that the enquiry should be through the medium of a Parliamentary Commission."

"The point scarcely requires any further labouring. The Secretary of State, speaking as a constitutional lawyer, has conceded that the framers of the Act did not in terms state that the Commission to be appointed under this section was to be a purely Parliamentary Commission, that is to say a Commission consisting of members of Parliament only, but he has drawn the inference that they did not state so because it was so obvious. The difficulty of any lawyer contravening an interpretation like this by a lawyer of the eminence of Lord Birkenhead who has occupied the highest judicial position in the Empire would be at any

time very great. But still I make bold to say that an interpretation of an Act, founded upon the belief as to the intention of its framer, on the floor of a political body is not the same as its interpretation in a court of law. At any rate, so far as this constitutional argument is concerned, no one ever heard of it until Lord Birkenhead put it forward with all the authority attaching to his name. We Indians are entitled to take our stand upon the plain words of the statute. We were no parties to the beliefs which might have been entertained as to the intentions of the framers of the Act in high quarters and I venture to think that if this view had been put forward bluntly in the year 1919 many of us would have had even at that time to revise our attitude. The credit for giving a rude shock to the political faith of us Liberals must undoubtedly belong to Lord Birkenhead.

#### Political Reasons.

"I shall now leave the constitutional reasons and ask your attention for a little while to the political reasons. Lord Birkenhead took shelter behind the speech of Mr. Goswami in which he is reported to have said that there was no organization which could speak in the name of the Hindu community. Now, I do not know what Mr. Goswami really meant by it. But I cannot understand that an all-knowing Secretary of State and a vigilant India Office can be unaware of the existence of a Hindu organization which has not been particularly inarticulate or inactive during the last few years. I believe there are scores of Hindus who without being members of the Hindu Mahasabha could have adequately protected Hindu interests but I cannot understand how Government would have sacrificed the Hindu cause by selecting a representative of the Hindus from among the leaders of the Hindu Mahasabha nor can I understand that the task of selecting a non-Brahman Hindu or a Sikh was equally impossible. As regards the depressed classes whose condition Lord Birkenhead describes to be "terrible and poignant," was it wholly impossible to select some one to represent them? And here let me point out to you that the portion in which he deals with the depressed classes scarcely reads like the speech of a statesman bent on the high purpose of unifying a distracted India, of elevating those who deserves to be uplifted from their fallen condition. It reads like a sensational paragraph from a certain class of newspapers in India or in England or a page from a book of a cold weather tourist.

"It may suit the purposes of our critics to exploit the misfortunes or the degraded condition of the depressed classes in relation to a definite political issue, but they cannot feel proud of their record of work in the amelioration of the condition of these classes until the commencement of the reforms. If the Secretary of State was solicitous of the depressed classes and the aborigines he was equally solicitous of the Indian Civil Service which has a deep-rooted interest in India, and he argued that "if you admitted other Parliamentary representatives you could not exclude members of the Indian Civil Service." Now it might be that a Commission of 18 or 20 people would be very unwieldy but one cannot understand why a Commission of 12 could not be fairly representative of all sections of the people and why it could not be trusted to deal with the problem in a spirit of reasonableness.

#### Nothing to be Proud of.

"It is said that an unwieldy Commission of 18 or 20 and "a fortiori" of 12 could not have produced an unanimous report. "There may not be an unanimous report now" said Lord Birkenhead, "but at any rate we shall have a report which proceeds upon the same general point of view and principle." He was afraid that there would be a very strong partizan Hindu report, a very strong Muslim report, and 3 or 4 other dissenting reports from various sections deeply interested in the decisions which are taken and that Parliament could not be assisted by disclosure of dissenting views of this kind. For arguments like these I say in all humility that there is only one word—they are the arguments of an advocate, not the arguments of a statesman. The one immediate effect of arguments of this character must be to give an impetus to class consciousness and to stimulate those differences which it should be the object of the statesman to allay, and if possible, to eradicate. If it is really be the fact that the position in India is so

hopeless as the Secretary of State in the House of Lords and Lord Winterton in the House of Commons have made it out to be, then in the name of common sense and fairness I ask what is the good of appointing a Commission? Why entertain any talk of Reforms? Why not then follow the advice of a distinguished member of the European community in Calcutta who had the frankness and courage to say not many days ago that "the time had come for the Viceroy to sit down with his selected district officers who knew the real people of India and evolve a decent system for governing the country forgetting all democracy and all such discredited systems."

#### The Scheme of the Commission.

"Now let me draw your attention to the scheme of Commission. The Commission, as you all know, is to consist of seven members including its chairman who represents the Liberal Party. There are two representatives of Labour and four representatives of the Conservatives. I do not wish to say anything in my own words of the personnel of the Commission. I shall venture to quote on this point what the London "Times" wrote in one of its leading articles. "What has presumably happened" says the "Times," "is that the Government have found it impossible in practice to divert from England any of those leaders on whose presence the complexion of the future Parliament may be thought to depend. And for the moment and in view of the character of the Commission as "rapporteurs" (in the Geneva phrase and not as constitution makers) the absence of the political leaders may not be altogether a disadvantage. All that is a little surprising in the circumstances is that none of the recognized front bench leaders, either Conservative or Labour, should have seized the opportunity to take part in an enquiry so incomparably more attractive and more far-reaching in its consequences than the common round of politics in England. The fact that the rank and file of the Commission are composed, broadly speaking, "of men in the second flight" (the quotations are mine) has the further effect of adding greatly both to the responsibilities of the Chairman and to his reputation for self-sacrificing public service."

#### No Men of Ideas.

"Bluntly put, barring Sir John Simon who is undoubtedly a front rank statesman, England could not spare for this great mission any of the first rate men and India must go content with men in the second flight. This is the value that is attached to this great mission. We are asked to console ourselves with the belief that "a body of men who can concentrate on this task without too much pre-occupation with the next general election is likely to be more valuable than a constellation of distracted stars. The capacity to work as a team is certainly more important than individual brilliance." In other words men of ideas are at a discount. The obsession for an unanimous report or a nearly unanimous report makes it incumbent that the men to be appointed must be what are called safe men who must be prepared to be guided by their Chairman, and must not allow their own individual ideas to interfere with their utility as a team. The irony of it is that we are invited to rejoice in such a team and to believe that these six worthies in the "second flight" can take good care of the present interests and of the future of three-hundred millions of this country.

#### Committee's Status.

"It is our purpose" said Lord Birkenhead, "that the Commission, when it visits India, should establish contact with the committee appointed for that purpose by the Central Legislature." But what is going to be the function of this committee! Here again let me quote the Secretary of State. "It has been most irrationally assumed", said Lord Birkenhead, "that they are merely to appear as a witness before the Commission. This is not the case. They are invited in a spirit of great sincerity to co-operate as colleagues with the Commission. It is contemplated that they shall prepare, in advance of the Commission's arrival, or if they find themselves within that limited period unable to do it, a year later, their own proposals and come before the Commission and say, "these are our suggestions." We claim and they claim that the West cannot devise a constitu-

tion for the East, that you cannot put eastern wine into western bottles. Well, if there be behind that claim, and I do not doubt it, the sincerity of real feeling, we afford them an opportunity of confronting our Commission with their own proposals, which can be analysed and criticised and can be accepted or rejected after that analysis and criticism.

"Further on we are told that "the Commission will develop in its activities and while they will retain contact with the committee of the Central Legislature as long as their deliberations extend to matters with which the Central Legislature is principally concerned, they will temporarily lose contact when they are journeying the provinces, but even here they will not be deprived of the constant refreshment of Indian opinion, for it is proposed—I see no recognition of this fact in any of the Indian papers—than in every province in which they journey there will be created committees of the Provincial Legislatures which will discharge the same consultative function with the Commission as is discharged at the centre of the Government by the committee of the Central Legislature. At no point, therefore, will the representatives of the Indian Legislatures be deprived of an opportunity of influencing the views of the Commission."

"Let us pause here and ask what all this comes to. Stripped of all superfluous verbiage it comes to nothing more than this that the Central Legislature will be asked to appoint a committee to prepare their own proposals and to place them before the Commission. Hitherto in the passages that I have quoted above there is not even an indication that these committees will take part in the examination of witnesses or documents or that they will be at liberty even to submit any report. They are to place their proposals and try to persuade the Commission to accept them which will analyse and criticise those proposals and in the end may accept or reject them. They cannot vote at any stage of their contact with the Commission. They are simply there to plead, to persuade, to urge and then to withdraw, and yet we are told that these committees will be the colleagues of the Commission. If an advocate can be a colleague of a Judge, if a person who is put on his trial can be the colleague of a jury then no doubt those committees will be the colleagues of the Commission.

#### Macdonald Eloquence.

"It was left to Mr. Ramsay MacDonald, the leader of the opposition, to wax eloquent about the scope of these committees. He talked about the Indian Legislative Assembly as the Parliament of India and at one place in his speech he observed that the Parliament of England was saying to the Parliament of India "we are going to regard you as the representative of Indian opinion, we are going to recognize you as having an authority, sanction and position like unto our own in your country and when we want to know what is going to be the constitution of India in future, when we want to know what the opinion of political India is, we appoint a Commission, you appoint a similar body and the two Commissions working together in harmonious co-operation with each other are going to report to the House of Commons what the lines of the new constitution should be." This he says is not insulting to India but paying her the greatest compliment.

"One should have thought after this eloquent description of the position that the Indian committees would really occupy a position of equality and would in truth be able to submit a report to the House of Commons, but the rhetoric of this passage begins to appear in its true proportions when we read another portion of his speech towards the end. For later on Mr. Ramsay MacDonald himself observed, "his position and he thought the position of his friends was the quite sound constitutional position so far as the House of Commons was concerned, that they could not give the Commission of the Indian Legislature any right to make a report." Mr. Ramsay MacDonald then argues that the Indian committee "was not our Commission and we were not responsible for it. It was not responsible to us and, therefore, what objection was there to letting it be known that as far as the Indian Commission was concerned it could make a report as it liked and it could refrain from making a report if it liked. The body from which it owed its origin could deal with that report with exactly the same

freedom as we would deal with our own report." He flattered himself with the belief that "if that position was known another large rock of suspicion would be removed."

"Now it may be asked what is all this if it is not absolutely confounding eloquence. The Indian committee may report to its own Legislature and its Legislature can deal with its report exactly with the same freedom as Parliament will deal with the report of "its Commission." But is not Parliament the ultimate authority and what is the good of the Indian Legislature enjoying the liberty of dealing with the report of its own committee when it knows that its decisions are to be of no greater value than mere proposals and that its report can not have the same constitutional authority attaching to it as will belong to the report of the Commission in the eyes of Parliament.

#### Legislature's Status.

"I have quoted these distinguished statesmen at length only because I am anxious to avoid any misunderstanding of their position. But I cannot help feeling that they were either carried away by their own eloquence or they felt that the assurances of equality couched in appealing terms and flattering as they are to our vanity will be sufficient to allay our fears and to assuage our feelings. Hitherto it has been customary with English statesmen to repudiate any claim on the part of the Indian Legislature representing as it does about 3 per cent of the population that it can speak for the teeming millions of India. Now a superficial view of Mr. MacDonald's speech and the speeches of some other statesmen would make us believe that they have at last discovered what was not hitherto so obvious to them that the Indian Legislature can truly be said to represent the teeming millions of India. The fact of the matter is that when once you closely examine these speeches the conviction is forced on you that having decided to take this step His Majesty's Government and the statesmen of the other parties could only defend that position by an exuberance of language.

#### Another Palliative.

"There is yet another palliative provided and we are asked to reconcile ourselves to this scheme by remembering that at the next stage "after the Commission has presented its report, the proposals of the Government on it will be sent, according to precedent, to both the Houses of Parliament." I have a distinct recollection of the work of the Joint Select Committee in the year 1919. I was examined by it and so were many other Indian friends of mine. Constitutionally the creation of such a committee is perfectly understandable and defensible, but constitutionally again I ask how is it possible for any Indian delegation whether of the committees of the Indian Legislatures or any other class of persons to claim equality with the select committee of Parliament or to share responsibility with that select committee? Let not, therefore, the Indian position be misunderstood. At any rate the position of our party is and has been that while constitutionally the ultimate decision lies with Parliament there is nothing in the Act to prevent Parliament from taking in Indians into the Statutory Commission and giving them the right of participating in the recommendations of that Commission. A true spirit of co-operation and broad-minded statesmanship required that Indians should have been taken into the Commission and the creation of this cumbrous machinery of committees with all bombastic claims for its equality can be no substitute either for a mixed commission or for a real Round Table Conference.

#### Communal Fight.

"When Lord Birkenhead and Lord Winterton referred to the Hindu-Mahomedan differences in India in justification of the exclusion of Indians from this Commission I wonder whether they had forgotten the state of things that prevailed in another Dominion when a great statesman whose name in constitutional history has become immortal described in his inimitable language the differences that rent the public life of that country. Writing so far back as 1838 about Canada Lord Durham wrote in one of his despatches as follows:—"The first

point to which I would draw your attention being one with which all others are more less connected, is the existence of a most bitter animosity between the Canadians and the British, not as two parties holding different opinions and seeking different objects in respect to Government, but as different races engaged in a national contest. What may be the immediate subject of dispute seems to be of no consequence; so surely as there is a dispute on any subject, the great bulk of the Canadians and the great bulk of the British appear ranged against each other. In the next place, the mutual dislike of the two classes extends beyond politics into social life, where, with some trifling exceptions again, all intercourse is confined to persons of the same origin. Grown up persons of a different origin seldom or never meet in private societies, and even the children, when they quarrel, divide themselves into French and English like their parents. In the schools and the streets of Montreal, the real capital of the Province, this is commonly the case.....Such a sentiment is naturally evinced rather by trifles than by acts of intrinsic importance. There has been no solemn or formal declaration of national hostility, but not a day nor scarcely an hour passes without some petty insult, some provoking language, or even some serious mutual affront, occurring between persons of French and British descent." But let us not forget that India is not Canada, and that these are not the spacious days of a Durham.

#### The Indian Point of View.

"Now, it must be a real tragedy if all of us have conspired together to deliberately misunderstand them; or to undervalue their professions of helping us on towards the goal. Speaking in the House of Commons Lord Winterton assured that august assembly that "evidence was daily accumulating that the raging, tearing propaganda against the Commission by "certain persons who were always opposed to the Government of India" (the quotations are mine), as they were entitled to be, did not represent the real views of a very large number of people in India who took interest in these matters." The strident dogmatism and emphasis which are the privileges of an Under-Secretary, more particularly when he has two flying visits to India to his credit, cannot for obvious reasons accord with the serene and exalted position of a Prime Minister, and accordingly we find Mr. Baldwin speaking in a different vein. "That there should have been any misunderstanding" said Mr. Baldwin, "is particularly regrettable, because it led to premature rejection of the proposals by the distinguished statesmen of India who worked and co-operated with the Government during some very difficult years since the Reforms came into force."

"If Lord Winterton symbolises the spirit which has overcome the India Office then it is not by any means difficult to understand that he should be prepared to tell the House of Commons that the raging, tearing propaganda against the Commission is being conducted by certain persons who were "always" opposed to the Government of India. I do not wish to disclaim or disown my share in that propaganda—but it must be a remarkable comment upon the hold which Lord Winterton, or Lord Birkenhead and may I add the Government of India (I do not exclude the Indian members thereof) have upon the imagination or the political faith of men of 'moderate' views that such sober, staid, thoughtful and cautious 'statesmen' (or it is more appropriate now to call them agitators) as Sir Sivaswamy Aiyar in Madras, Sir Chimanlal Setalvad in Bombay: Sir Syed Ali Imam and Mr. Sinha in Bihar, Sir Abdur Rahim in Bengal, the Maharaja of Mahmudabad, Sahabzada Aftab Ahmad Khan and Mr. Chintamani in the United Provinces, all of whom have at one time or other held high office and have worked the Reform and 'co-operated with the Government during some very difficult years should in their frenzied zeal for the 'boycott' of this ill-omened Commission forget themselves, and be false to their traditions and to those principles and convictions under the spell of which they offered to work and did work the Reforms in the midst of popular obloquy and much misunderstanding on the part of the bulk of their own countrymen and their former associates in public life. All of them could not have hoped to be appointed members of the Commission and few of them could have on personal grounds



liked the idea of being taken away from their normal avocations in life for a period of two or three years. If their English critics have nothing more to say in explanation of their conduct than that they are being actuated by disappointment, chagrin or pique, then I say—and say so with confidence—that that charge will have to be brought against an overwhelmingly large number of Indian politicians barring of course the faithful few who place caste, or creed, or class above the country. But I shall not waste your time or mine any more with refuting charges of this character.

#### Worst Challenge.

"I do not think a worse challenge has been thrown out over before to Indian nationalism, and notwithstanding the profuse assurances in Mr. Baldwin's speech and the yet more profuse assurances in Mr. Ramsay MacDonald's speech, Indian Nationalists of the Moderate school have been compelled to ask if the only way of recognizing the spirit of co-operation is by telling Indians that their lot is to be none other than that of petitioners, that they cannot be trusted to participate in the responsibility of making recommendations to Parliament for the future of their country, and that all that they may aspire to is to put their proposals before the Commission which may accept them or reject them, and again to repeat the same process of persuasion, argument and discussion before the Joint Committee of Parliament. Now if this is what is meant by co-operation, if this is the new idea of equality of status on which we are to be fed, if our patriotism is a prejudice and if the patriotism of the seven members of Parliament is to be treated as impartial justice, then we Liberals feel justified in telling the Government here and in England. "You may do anything you like in the assertion of your right as supreme power, but we are not going to acquiesce in this method of dealing with us. Neither our self-respect nor our sense of duty to our country can permit us to go near the Commission."

"It seems to me that the entire position has been from the Indian point of view so well summed up by Colonel Wedgwood in his letter to Lala Lajpat Rai and it so vividly represents the feeling of many of us that I make no apology for quoting a portion of it here: "Petitioning for little scraps of liberty" says Colonel Wedgwood, "is a dirty business, and there has been too much of it. You lose your self-respect and you will get despised. I was always against non-co-operation as you know and I am so still. Take what share in governing you can; use every power and every opportunity afforded by the Government of India Act. That is not 'crawling' but worth while fighting, and incidentally may help to wipe out some of those curses of "Mother India". But this Commission does not require your help. There is no need to stand in the witness-box and be cross-examined by persons of no great importance who have not before shown any interest in your views or feelings. They can easily get the case up from the evidence and reports laid before the Muddiman Committee. Officials can supply all the facts and are likely to do so with more impartiality, not less, if the victims are dumb. Or if they like they can read the newspapers. Open (or empty) minds can easily get food and they as easily forget it".

"I am afraid, however, there are some among our countrymen who feel that we should not allow judgment to go by default, that we should not throw away an opportunity like this of putting our case before the Commission and through it before Parliament. They feel that it is a mercy that Lord Birkenhead had not appointed one or two 'safe' or 'tame' Indians who might easily have made the position for us worse. Again there are those who obsessed by communal feeling hold that the Mahomedans may steal a march on the Hindus and the latter may afterwards have to regret that they did not follow the good example of the former. Those who rejoice in this decision, because they have been saved from the worse calamity of being represented by bad Indians on this Commission, probably assume that we should have been prepared to acquiesce in the appointment of such Indians or that their support of the recommendations of their European colleagues would have made the task of the Government much easier or imposed on us some sort of obligation to acquiesce in the decisions of these unpatriotic Indians.

### No Spoils to be Divided.

"To Hindus who are afraid of the Mahomedans getting a richer share of the spoils I have only one thing to say and it is that there are no spoils to be divided. Besides, in my opinion, it is neither just nor fair to the Muslim community of India as a whole to attribute such questionable motives. When one remembers the alacrity with which distinguished Muslim leaders who have hitherto occupied such a large space in the public life of the country have denounced the exclusion of Indians from this Commission and declared in no faltering or hesitating terms their firm resolve to have nothing to do with this Commission. One should not find it difficult to reconcile oneself to the attitude of some other Muslim leaders in the Punjab or Bengal—at present the two plague-spots of Indian communalism—who have on an occasion like this placed their community above their country. So long as the Muslim community in India can boast of men like Mr. Jinnah, Dr. Ansari, the Maharaja of Mahmudabad, Sir Saiyed Ali Imam, Mr. Hasan Imam and some others (I am not referring to those who are confirmed Swarajists or 'Extremists') so long it may be truly said that notwithstanding much of a depressing character that there may be at present in our internal situation there is hope for Indian nationalism. Holding the views that I do on the Hindu-Mahomedan question I feel that these distinguished leaders would be perfectly justified in pressing for the protection of the interests of their minority community in any scheme of constitutional advance that may seriously be considered at present. But it is all their honour and credit that on a critical occasion like this they should not have allowed their duty to their community to prevail against their duty to their country.

### Function and Duty of the Liberal Party.

"In the situation created by the decision of His Majesty's Government the duty of the Liberal Party in India to my mind is absolutely plain. If the Liberal Party in India is now asked to accept the new doctrine of co-operation which means that it must always subordinate its will to the higher will not of Parliament but of its agents then clearly the time has come when we should say that that is not our conception of co-operation. Much as the Liberal Party would like to work in an atmosphere of good-will, much as it would like to avoid all bitterness, much as it would like to help in the task of an ordered and safe development of the constitution it cannot be a party to an arrangement which is wholly destructive of that spirit of mutual confidence which alone can get co-operation. It cannot be a party to anything which is inconsistent with the honour and self respect of India and its moral right to effectively participate in the determination of its constitution nor can it in its zeal for co-operation forget its duty to the country in a crisis of this character. We cannot and we should not allow our energies any longer to be dissipated in the barren and thankless task of party factions and squabbles, and I honestly think that the time has come when we should make an earnest and honest endeavour to open a new chapter in our history. I do not plead for the sudden merging of one party into another, that must be left to the irresistible forces of time. But I do plead for common and joint work through the chosen representative of each party in the preparation of a scheme of self-government to be presented to the country and to Parliament. That challenge has been thrown to us repeatedly during the last four years and we ought to accept it.

### Hindu-Moslem Unity.

"Coming to the question of Hindu-Moslem Unity be said, "There may be merit in the protection of animal life, but the destruction of human life cannot bring any merit in this world or the next. Similarly I imagine that howsoever much music at certain times and at certain places may be distasteful to some, they have no right to impose their views on others. To my mind these are questions which cannot be solved by an arid discussion of legal or customary rights and if that could be done we would have to pay dearly for such solution. Their solution depends upon a healthy recognition of the equal rights of all. Shuddhi, Sangathan and Tabligh may be very good war cries for a community which is bent upon destroying its own house but they will become a community

which is at all serious about building up an edifice of a permanent character for itself and for its posterity. Far be it from me to suggest or expect that either the Hindus or the Mahomedans, who are accustomed to look upon Asia as the cradle of religion, who pride themselves upon being the custodians of the rich treasures of 'spiritual' tradition left to us by our great ancestors, should in their quest for material advancement squander away those treasures, but if we want to bring ourselves into line with the modern world, we should not waste those treasures in achieving ignoble ends wholly inconsistent with our professions of nationalism. The progress of all states—and particularly those comprising peoples of different races and different religions—has been towards a secularisation of the state, which does not mean the destruction of the spiritual life of their peoples. When this is recognised, I think there will be no room left in our public life for leaders of a certain type—leaders who by inflaming religious passion and letting loose the forces of bigotry and intolerance are narrowing our sympathies and paralysing generous thought and co-operative action.

"Discussing at length the majority and minority question that is at present raging in the country, he said:—"I earnestly urge that we should apply ourselves seriously to the task of reducing our ideas to writing on the question of a suitable constitution for India and when we undertake that work we should definitely deal with the question of providing protection for the minorities and other classes requiring special protection. It is only then that we shall be able to appreciate the importance of those issues and the paramount necessity of a spirit of compromise.

#### Lines of Constitutional Advance.

"It is not my intention to discuss at any length the broad principles on which we should proceed to prepare the draft constitution. There are, however, just a few observations which I shall permit myself to make. It is no longer a question whether western wine can be poured into eastern bottles. That question was answered by Parliament so far back as 1917 and 1919 and notwithstanding the fact that kindly friends remind us now and again that parliamentary institutions have failed in Europe and that they are scarcely suited to the conditions of India and are wholly out of accord with our history and our temperament the issue is as to whether we prefer to remain under what Mr. Montagu described as a wooden and ante-diluvian system or whether we shall tread the path which has been trodden not only in the West but also in the East whenever and wherever there has been a general awakening. There is no doubt that we shall commit mistakes and perhaps blunders, but we shall profit by our experience as other nations have. Originality in politics and constitution making may be very tempting, but it is at best a doubtful game.

"I, therefore, think that so far as we are concerned, there is no going back on the ideal of responsible government, that is to say, a form of government in which the executive will be responsible to the legislature. The electorates have to be widened and to be educated but we cannot wait until their education has reached a stage of perfection. Such electorates exist nowhere. The process of their education is an ever-continuing one and no doubt in India along with an extensive and intensive programme of educating our 'masters' we shall have to depend upon the repeated exercise of the franchise as a powerful educative factor. Similarly our progress towards full responsible government may be somewhat retarded but it cannot be indefinitely postponed because we cannot defend ourselves on our borders. For the present state of our helplessness, responsibility must rest on other shoulders but there again the question should be of not appointing commission and shelving their reports or toying with the problem, but of evolving and executing a policy of military training and organization in relation to an India which is soon going to be self-governing and not in relation to an India which may after a century hope to be near the fulfilment of its cherished aspirations. Again I think that with all the difficulties that the problem of Indian States presents it should not be difficult to establish with their consent a system of relationship with them which should on the one hand preserve their autonomy and treaty rights and on the other bring them into line with the progressive spirit of the times. In short as I visualise the future, I look forward to an India consisting

of federated states in direct and well-defined relationship with Indian states under the aegis of British Crown, as an equal member of the British Commonwealth of Nations, and not as a dependency under the stewardship of a district India Office exercising over us the functions of an earthly Providence;

"If all that is passing at the back of the minds of the high and the mighty at the present time is how best to make the working of dyarchy smooth, without touching the central government and without affecting the position of the Secretary of State, then I think there is a wide gulf which divides us from them. Neither the establishment of a "separate purse" for the two halves of the government, nor the duplication of legislatures for the two halves, nor the establishment of old-fashioned second-chamber at Delhi can in any degree satisfy any section of intelligent Indian opinion. I should be the last person to ignore the necessity for providing for proper and adequate safeguards against hasty legislation or action calculated to affect internal security or weaken our national safety."

## Proceedings and Resolutions.

SECOND DAY—28TH DECEMBER 1927.

### 1.—Condolence.

Re-assembling on the next day with Sir Tej Bahadur Sapru in the chair, the Federation passed a resolution of condolence at the deaths of Mr. C. S. Deole, Rao Bahadur V. R. Pandit and Mr. J. B. Sen who had been staunch Liberals.

### 2.—Boycott of Statutory Commission.

Sir Sivaswami Aiyer then moved the following principal resolution:—

The National Liberal Federation is strongly of opinion that the official announcement made about the constitution of the Statutory Commission and the functions of the committees of Indian legislatures is unacceptable, as it flagrantly denies the right of the Indian people to participate on equal terms in framing the future constitution of the country, that the legislatures and Indians throughout the country should have nothing to do with the Commission at any stage or in any form and that the Council of the Federation be authorised to take all necessary steps to give effect to this resolution.

Sir Sivaswami AIYER, said the resolution was intended as a protest against the constitution of the Commission and the procedure to be followed by it. Even Lord Birkenhead had to admit that the terms of the statute did not forbid the appointment of a mixed commission. He had said that it was obvious that the Commission must be purely parliamentary. But to the speaker it was far from obvious. What was very obvious was that the statute imposed no fetters at all on the Government as regards the constitution of the Commission. If so, it was no right or accepted mode of construction to refer to what passed in the minds of the framers of the statute. Sir Sivaswamy quoted in support of his statement the dictum of Lord Halsbury that the persons worst qualified to interpret the statute were its framers, who would be tempted to import what was in their minds and not what was justifiable by the plain meaning of the statute.

Another ground on which the parliamentary commission was sought to be justified was one of experience, namely, the necessity of getting an unanimous report and not making the Commission unwieldy by adding representatives of different interests in the country including the aborigines and the depressed classes. The speaker wished the Government who put such emphasis on the representation of the depressed classes and the aborig-

gines had the same tender regard for them in South Africa and Kenya. The Government had not in the past been deterred by fear of unwieldiness in making similar commissions representative.

Yet another reason advanced was that differing reports might be presented to Parliament, making it difficult for that body to judge between them. The speaker never thought that such a poor opinion of the intelligence of Parliament would be expressed by such a distinguished member of Parliament as Lord Birkenhead. Granted that Parliament had the ultimate right to determine India's fate—though even this was not granted by some—but surely it did not follow from this that Indians should be denied the right of participating in the conduct of the preliminary inquiry and the deliberations of the Commission on equal terms with the other members.

It had been stated, continued Sir Sivaswamy, that amazing generosity had been shown by the Government in the proposed scheme of the association of the committees of legislatures with the Commission. But the Liberals were prepared to forego this unique concession, to throw it away in favour of a convention, such as was convened in the case of the dominions like Australia and South Africa, to frame a scheme which Parliament would only have to adopt. It had further been contended that the boycott would recoil on the heads of those who wielded that weapon. Sir Sivaswamy uttered a note of warning and said what the Federation intended by the boycott was different from what was intended by other parties. The Liberals limited the term to the Commission only.

As for the argument that the judgment of the Commission would go by default, the speaker was sure that Sir John Simon and the other members would not be so ill-advised or ungenerous as to adopt any reactionary measures. Concluding, the speaker declared that even a worm would turn and even a Liberal would show his resentment at the insult of the Commission by refusal to co-operate with it.

Seconding the resolution, Sir Moropant JOSHI said the critics of the boycott movement had been flaunting before them the possibility of disorder breaking out of it and that the Liberal Federation might be partly responsible for that consequence. He wanted to make it as clear as possible that the sole responsibility for anything that might happen in the country hereafter would be on the Government and the Government alone. (Cheers.) As at present constituted, Indians had lost the position of vantage which they would have had as members and co-equals of the Commission. They had only the position of suppliants at the bar. The inference from this was that Indians were not fit to sit with the European members. The Liberals resented such a stigma cast on Indians not for its immediate effects but because it might be used as a precedent in future.

Referring to the argument that the boycott might not be effective, the speaker admitted it might not be as effective as in Egypt, but a large section of the intelligentsia of the country who counted in political matters would not go to the Commission. That was enough for him.

Rao Bahadur DAMLE, supporting the motion, thought that England would not misunderstand the display of self-respect on the part of India, but would rather treat her with contempt if she took the insult lying down.

There was, therefore, no ground for the apprehension expressed by Lord Sinha that India's cause would suffer by a policy of boycott.

Babu Bhagavati Saran Singh, Mr. Chunilal Gandhi, Mr. M. B. Marathe and others addressed the Federation supporting the resolution.

Mr. CHINTAMANI, who next supported the resolution, declared that the Statutory Commission was the device proposed by Mr. Montagu in order to make India's political advance automatic. Mr. Montagu intended the 1919-Reforms as the first step on the road to self-government, that Governors and Governors-General should work them with this idea and as if they were responsible to the legislatures and that they should be on their guard against employing arguments against the grant of self-government on the ground of India having no army of her own or of her educational progress not being wide enough. In the light of Mr. Montagu's intention the enormity of the offence against India's self-respect by this Commission would be realised.

Continuing, Mr. Chintamani charged every Governor in the country and the Secretary of State for India with deliberate, persistent and contemptuous refusal to co-operate with Indian opinion. He charged them also with incapacity to show any sense of responsibility in dealing with the problems of India. It was not necessary for Sir John Simon to give up his position in England and come to India to find out the full responsibility for the disastrous state of educational backwardness in the country. It was the Government which should shoulder the responsibility for it. If Indians had been appointed on the Commission they would have convinced that body of this.

Mr. Chintamani referred to Lord Sinha's statement that the boycotters should remember Sir Surendranath Banerjee, Mr. Gokhale and Mr. Dadabhai Naoroji and ask themselves whether these revered leaders would have approved of the step. The speaker contended that he had no doubt whatever that neither of them would have disapproved of it. Mr. Chintamani said the object of the Tory Government in hurrying the appointment of the Commission was not to follow up Mr. Montagu's policy, was not the introduction of further reforms, but either to perpetuate the *status quo* or modify it so as to amount to retrogression. It might be asked why not in that case try to prevent the mischief by giving evidence before the Commission. If he had the least ground for cherishing the illusion that their evidence would in any way influence the Commission he would have advocated giving evidence before it. But he had no such illusion. On the other hand, one serious harm would be done by the country co-operating with the Commission which could then claim to have heard all varieties of opinion in the country and yet to have come to adverse decisions. He wanted to deprive the Commission of the moral authority to make this claim which Indians would wantonly have presented it if they gave evidence before it. As for the argument that India was not united, he asked if the British Government put this question to Ireland when she was made a free State.

Mr. Chintamani concluded with the declaration that the resolution was intended to show that the Liberals were as ready as, if not more than others to do everything to uphold and sustain the honour of the country and promote its interests. He announced that the Indian Association of Calcutta had intimated that the Bengal Liberals were opposed to the policy of boycott.

The resolution was then put and unanimously passed.

### 3.—Indian Representation on the League of Nations.

Sir Phiroze Sethna then moved,

Strongly urging that Indian representation on the League of Nations and other international or Imperial Conferences should be by delegation predominantly Indian in its composition and led by an Indian.

He said all that the resolution demanded was that the Government should convert into positive action the lip sympathy which the Government had shown to the principle of Indians leading Indian delegations. Two successive Law Members had expressed the Government's agreement with the principle on different occasions.

An amendment to insert the words 'preferably elected by the legislatures' after the word 'composition' was moved, but it fell through for want of a seconder. The original resolution was then unanimously passed.

### 4.—A Scheme of Responsible Govt.

Rao Bahadur Kale moved :—

That a committee consisting of Sir Tej Bahadur Sapru as chairman and Sir Nivswami Aiyer, Sir Chimanlal Setalvad, Mr. Chintamani and others as members, with powers to add, be constituted in order to formulate, as far as may be in co-operation with similar committees of other political organisations in the country, a scheme of responsible government and that the committee do submit its report to the Council of the Federation as early as practicable.

The resolution was largely supported and unanimously passed. The Federation then adjourned.

## THIRD DAY—29TH DECEMBER 1927.

### 5.—Rural Reconstruction.

The Federation re-assembled on this day and passed the following resolutions. Mr. G. K. Devadhar moved the following resolution :—

Affirming that the condition of the masses in India was deplorable owing to their poverty, low physical stamina and lack of education and strongly urging upon the Government and the people of India the urgent need for initiating adequate and suitable measures for the improvement of their moral, material and physical condition, and for this purpose earnestly recommending the promotion of free and compulsory education among boys and girls alike, development of agriculture, expansion of the co-operative movement and other schemes for debt redemption, initiation of schemes for rural reconstruction, improvement of village sanitation by systematic propaganda for spreading a knowledge of the laws of health and by introduction of organisations like village panchayats.

### 6.—Inter-Communal Relations.

The next resolution ran as follows :—

(a) This Federation places on record its deep conviction that in the interest of the general progress of the country and in particular for the early attainment by India of responsible Government it is of paramount importance that the unfortunate differences of a communal character should be composed, and in order to remove this serious menace to the progress of the country this Federation calls upon all its members to promote and actively support every moment calculated to bring about a better understanding between Hindus and Muslims and to place the relations of the two communities upon an honourable footing of toleration in religious matters and on the basis of unity in political matters by a just representation of minorities in the legislatures and with due regard to efficiency in the public services of the country.

(b) This Federation cordially appreciates the earnestness of the distinguished Muslim leaders who have put forward the scheme for settlement of the outstanding differences

between the Hindu and Muslim communities and suggests that various items of the proposed settlement should be discussed at an early date by duly elected representatives of the communities in a spirit of such genuine co-operation as will lead to complete agreement.

(c) This Federation affirms that national patriotism should be the foundation of representative institutions and that such patriotism can best be developed by a system of joint electorates qualified by reservation of seats for important minorities until such time as it may be possible with the good-will of the communities concerned to dispense with the reservation of seats.

#### 7.—Sandhurst Committee's Report.

Mr. Mann Subedar then moved that:—

(a) While recognising that the recommendations of the Indian Sandhurst Committee do not satisfy Indian aspirations the Federation deplores the delay and unwillingness of the Government to give effect to them, as they mark a beginning in Indianisation of the higher ranks of the Army in India and urges that no time should be lost in carrying them out.

(b) This Federation further urges that a progressive reduction should be carried out in the ratio of the British to the Indian troops till the Army in India is completely Indianised.

#### 8.—Condition of Industrial Labour.

Mr. N. M. Joshi moved the next resolution:—

Recommending to the Government of India to appoint a committee to enquire into the condition of industrial labour such as wages, hours of work, unemployment and unprovided for sickness and to suggest remedial legislative measures, when found necessary, as establishing a machinery for fixing minimum wages, for reduction of hours of work, for establishing unemployment and health insurance and establishing machinery for settling industrial disputes, The Federation recommended to all Liberals in the country to help the working classes to organize themselves into unions for protecting their interests and mutually helping themselves by co-operative efforts.

The Federation also passed two resolutions, put from the Chair, one relating to Indian states and the other to the Indian mercantile marine:—

#### 9.—Indian States.

The first noted with satisfaction that certain states had made a beginning in the direction of introducing representative institutions in their territories and hoped that all Indian states would take early steps to bring their administration into accord with modern ideas of progressive Government.

#### 10.—Indian Mercantile Marine.

The second while welcoming the establishment of the training ship 'Dufferin' in Bombay strongly urged on the Government of India with a view to make the training ship a success, the necessity for taking legislative action (1) to ensure compulsory employment on coastal ships of Indians as officers and engineers in accordance with the recommendation of the Indian Mercantile Marine Committee, to reserve the coastal trade to Indian shipping, (2) to help Indian shipping to participate in the overseas trade of India, (3) to adopt effective measures to develop the ship-building industry, and (4) to legislate for the abolition of the deferred rebates system.

#### 11.—Imperial Policy in East Africa.

The next resolution opposed the new policy of associating the immigrant communities in the responsibilities and trusteeship of the Government of East Africa and urged His Majesty's Government to retain all political powers in its own hands and not to advance the political status of either immigrant community till a fair proportion of the natives attained franchise on common property and educational qualifications and could obtain an effective share in representation by election on a common register.

The resolution also protested against the non-inclusion of a single Indian member on the East African Commission.

#### 12.—Depressed Classes.

Proposed by Mr. V. M. Chandavarkar the Federation passed a resolution,



Impressing on all provincial Governments and local bodies the necessity of allotting annually an adequate sum for the award of scholarships to children of the depressed classes and of making their education free and urging the provincial Governments to open the doors of all services under them for the admission of fit candidates belonging to those classes and give them preference for employment when fully qualified candidates were available.

The President then made a feeling reference to the late Hakim Ajmal Khan and his great services to the cause of Indian nationalism especially in the reconciliation of communities. The president moved a resolution of condolence which was passed in solemn silence.

### 13. — Bengal Detenues and Land Revenue Policy.

The Federation then adopted the following resolutions put from the Chair:—

(1) Protest against the inordinate delay made by nearly every provincial Government in carrying into effect the recommendation of the Joint Select Committee of Parliaments that the general principles of land assessment should be embodied in legislation and urging that this should be done without delay; and

(2) strongly reiterating its protest against the continued detention of many persons in Bengal under the Criminal Law Amendment Act, 1935, and urging that all of them should be either set free or tried under the Ordinary Criminal Law.

### 14. — Declaration of Policy.

By the next resolution the Federation adopted a statement of policy in relation to the Statutory Commission.

The Liberal party's manifesto reiterated all the arguments advanced by the Liberals so far against agreeing to go before the Statutory Commission and concluded:—

The acceptance of the proposals of the Government does not appear to the Liberal party to be consistent with the self-respect of India or with their unanswerable claim that Indians should have an effective share in the determination of the constitution of their own country. It is obvious from all the proceedings in Parliament that this Statutory Commission is to be used as a precedent for the future. In the opinion of the Liberal party, India ought not to be subject to repeated enquiries by periodic commissions, which are bound to be detrimental to the development of her national life and constitution, and the time has come when a permanent and durable constitution capable of automatic growth and development should be framed by a competent and representative body. Even upon the assumption, which the Liberal party repudiates, that there is need for further periodic enquiries, the Liberal party cannot, while accepting the constitutional position that the final authority according to the constitution is Parliament, accept the precedent of a Statutory Commission from which Indians are now excluded and will always be excluded in future. In short, in the opinion of the Liberal party, the Statutory Commission fails to satisfy the test of properly constituted commission, with adequate Indian representation, nor does it amount to a round table conference. It is a bare and emphatic assertion of the right of Parliament, not only as the final authority to pass the constitution for India, but also to adopt an exclusively British agency for exploring the avenues of progress, and it is at the same time a negation of India's claim that it should have an effective part in the determination of her constitution. In these circumstances and for these reasons, the Liberal party have come to the conclusion that they should have nothing to do with the Commission at any stage, to any extent or in any form.

The Federation then adopted some formal resolutions regarding the election of secretaries, etc., and accepted Sir Tej Bahadur's invitation to hold the next session at Allahabad in 1928. The session thereupon dispersed.

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# The All-India Muslim League.

For some time past fears were entertained about a split among the Muslims over the question of the venue of the All-India Muslim League. Several efforts at compromise were made but all these failed and two sessions of the League were held at the same time, one in Calcutta according to the decision of the Council of the League held at Delhi on December 11th, and another at Lahore in pursuance of the former decision of the Same Council held on Nov. 20th. At the meeting of the Council at Delhi on Dec. 11th the attendance was poor as out of 300 members only two dozens were present, but a substantial number of votes had been secured by rival sections by proxy. Among those present the Punjab was strongly represented and others consisted of members from the United Provinces and Delhi. A couple of hours before the appointed hour an informal exchange of views started and compromises were suggested to secure unanimity of decision. His Highness the Aga Khan's statement had created a difficult position for his supporters as most of the votes secured by proxy proceeded on the assumption that His Highness the Aga Khan would agree to his election. They, however, still hoped that if the Council of the League invited His Highness the Aga Khan, he might yet reconsider his decision and respond to the call of the community. The compromises informally discussed were :—session at Calcutta with Sir Muhammad Shafi as president or a session at Lahore with His Highness the Aga Khan as president. Both parties, however, were doubtful regarding the votes that the other had up its sleeves because the issue depended on those votes. The following is the official report issued by Dr. Kitchlew, General Secretary of the League :—

According to notice, a meeting of the Council of the All-India Muslim League was to be held in the office of the League, but as Hakim Ajmal Khan was unable to attend on account of illness, the meeting was, at his request, held at his residence. Twenty-three members attended. Hakim Ajmal Khan presided. Malik Feroze Khan Noon asked for a statement from the general secretary as to the circumstance in which he had called the meeting. Dr. Kitchlew explained that he had received letters and telegrams from Bengal, Madras and other places expressing the disappointment of leading men of those places at the venue fixed and the president-elect and asking for reconsideration of both these points. He further added that he had called the meeting under Rule 19 of the constitution of the League, which gave him full powers to call a meeting if he thought it necessary. The president of the League, Mr. Jinnah, had been consulted in the matter and so the meeting had been called.

Objection was taken by Maulana Mahomed Ali and others at the manner in which Malik Feroze Khan Noon had taken pains to cross-examine the general secretary and it was pointed out that if any objection was to be taken, it should be taken in the form of a regular point of order.

Accordingly, Mr. Noon raised the point that the meeting was not in order.

This elicited a lengthy and interesting discussion in the course of which it was pointed out by Malik Barkat Ali and others that Rule 19 gave full powers to the secretary to call a meeting when he thought it necessary, that the facts and circumstances quoted by the secretary clearly showed that reconsideration was necessary, and that the meeting could not in law go behind the discretion vested in the secretary. He further declared that the point that the matter having once been decided should not be reconsidered under any circumstances had absolutely no foundation under the constitution of the League. In fact, the Council of the League was a body with plenary jurisdiction and it had inherited powers to consider its decision.

After this discussion and in accordance with the sense of the meeting, the president ruled that the meeting was quite in order and perfectly legal.

The discussion of the items on the agenda was then proceeded with. The question of venue had to be taken first under the rules of the League. A very lengthy discussion took place in which Sir Muhammad Iqbal, Malik Feroze Khan Noon, Maulana Hasrat Mohani, Malik Barkat Ali, Pir Tajuddin, Maulana Mahomed Ali, Dr. Ziauddin, Sheikh Abdullah, Mr. Abdul Aziz and others took part. After considerable discussion votes were taken and it was found that 84 votes were in favour of Calcutta and 54 in favour of Lahore. Out of these, 74 and 41 votes, respectively, for Calcutta and Lahore, were of absentee members, who under the rules of the League had sent in their written opinion.

The president then declared that Calcutta had been selected as the venue of the next session of the All-India Muslim League.

After this discussion Malik Feroze Khan Noon, Sir Muhammad Iqbal, Maulana Hasrat Mohani and a few other gentlemen from Lahore left the meeting.

The question of president-elect was then taken up. It was stated that 79 votes of the absentee members had been received for His Highness the Aga Khan and 44 votes of the absentees for Sir Muhammad Shafi, but it was pointed out that His Highness the Aga Khan had declined to replace Sir Muhammad Shafi under any circumstances and therefore the question of reconsideration of the matter of presidentship did not arise. This objection was accepted by the president, who ruled that the matter of reconsideration of the president's election should not, therefore, be taken up.

It may be mentioned here that before the meeting began certain members from the Punjab had offered a compromise to Mr. Noon and his party, according to which Calcutta should be the venue and Sir Muhammad Shafi the president, but this compromise was not accepted by Mr. Noon and his party, who wanted the venue to be Lahore and His Highness the Aga Khan as president.

## The Calcutta Session.

In pursuance of the above decision of the Council of the League the 19th session of the All-India Muslim League was held at Calcutta in the spacious Town Hall on the 30TH DECEMBER 1927 in the evening. The attendance was fair and the *dais* was occupied fully by prominent leaders and distinguished visitors. The latter included Mrs. Besant, Mrs. Naidu, Major Graham Pole, Mr. Garrett, Mr. T. C. Goswami, Mr. S. C. Mitter and Mr. N. R. Sarkar. The proceedings began with a recitation from the Koran.

Mr. Jinnah communicated the Council's decision, which met early in the day, electing Maulvi Mahomed Yakub in place of Sir Muhammad Shafi.

Sir Ali Imam, proposing Maulvi Mahomed Yakub to the chair, said that Mr. Yakub enjoyed the confidence of the Parliament of India, namely, the Legislative Assembly of which he was the Deputy Speaker. Sir Ali Imam added that Mr. Yakub's views about the Simon Commission were strong and that gave Sir Ali great pleasure because Mr. Yakub's vote in the Assembly would carry particular authority.

### Chairman's Speech.

Mr. Majibur Rahman, Chairman of the Reception Committee, then delivered his address supporting the boycott of the Simon Commission and favouring separate electorate for Muslims.

After deploring the unfortunate split in the League, he referred to the Simon Commission and said:—'I should not like to enter into any question of abstruse political theory, but to me it seems a matter of bare justice and elementary commonsense that the people for whom a constitution is intended should have a paramount and exclusive voice in the drafting of that constitution. I take exception to the preamble of the Government of India Act of 1919, which lays down that it is the British Parliament that will be the judge of the time and measure of every advance towards the

realisation of responsible government in India. Moreover, the total and deliberate exclusion of Indians from the Commission is not merely "a calculated affront to India"—that may be the language of sentiment and wounded susceptibility—it is a denial of elementary political justice. It is a negation of India's right to have a paramount voice in settling her own constitution. It indicates a subtle and deep determination to prejudice the issue and forcibly to cram down the throat of our people a constitution, the details of which have been settled and ready made before-hand.'

Proceeding, Mr. Rahman said:—'While boycotting the Commission, we must accept Lord Birkenhead's challenge and evolve a constitution for our country. I must frankly say that if we cannot do this much, we do not deserve a better government than what we have at present. I am not, however, a pessimist and I do hope that the leaders of the different political parties and communities will put their heads together and then frame a constitution and thus show to the world that we mean business.'

Turning to the question of separate electorates for Muslims, Mr. Rahman said:—'It seems to me that many of those who are against the boycott of the Simon Commission are labouring under an unspoken fear that boycott of the Commission on the part of the Muslim community will injure the cause of separate representation. For the assurance of such gentlemen, let me tell you in plain and unequivocal terms that in the present state of our national life I look upon separate representation through separate electorates as the corner-stone of Muslim politics. When each community is assured that its interests and privileges are safe in the hands of the common State that we have succeeded in evolving, there will be, I believe, no necessity and no cry for separate electorates. The day we long for is yet to come. Between the two great communities of India, there is still "doubt, hesitation and pain". Let us recognise honestly and frankly the existence of mutual jealousy and suspicion exists, let us agree to be represented through the medium of separate electorates.

'As the edge will be taken off from the acerbity of mutual suspicion, and so, day by day, we shall advance nearer towards that rapprochement which in the fulness of time will make communal representation take its rank among the evil necessities of life'.

#### President's Speech.

Maulvi Mahomed Yakub was applauded when he rose to deliver his presidential address *ex-tempore* in Urdu. He apologized for not delivering a written address because of the short notice. He would speak in his mother tongue. (Applause.) He expressed gratitude for this opportunity for the service of his community, particularly because Calcutta, where the session was being held, was one of the foremost cities of the world and was also the home of his ancestor who held the position of a vizier over a century ago.

The session was meeting with the gloom cast over it by the death of Hakim Ajmal Khan. Hakimji had worked whole-heartedly for Hindu-Muslim unity and just before he laid down his life, Hakimji had observed a ray of that unity emanating from Madras.

Continuing, the President said their homage to Hakim Sahib should take the form of pursuing the object of unity which the late Hakim had so much at heart. From the time of the inception of the League he had been one of its leading lights and had presided over the League sessions twice. The President also mourned the death of Syed Alay Nabi.

## League Session Controversy.

Proceeding, the President said that for over two weeks a controversy had been going on as to whether the session should be held in Lahore or Calcutta. He said that, according to the League's constitution, voting could not be by proxy nor could it be through telegrams addressed to a third person. The first meeting voted for Lahore through votes obtained mostly by proxy, and in this connection Malik Feroze Khan Noon had played a leading part. Dr. Kitchlew, the Secretary, felt obliged not to accept the illegal decision and even if he had not recorded the request for a revision from Madras and Calcutta, Dr. Kitchlew would have been justified, in accordance with the sacred provisions of the constitution, to call another meeting. This second meeting was called but the previous meeting had, however, made it difficult for the self-respecting Aga Khan to accept the presidentship in view of the dispute. The second meeting gave the final decision and Calcutta was decided upon as the venue of the session.

Proceeding, Maulvi Mahomed Yakub said that Mr. Jinnah had urged every one not to commit himself on the question of the Simon Commission but the Lahore Muslim League was the first to give its views under Sir Muhammad Shafi's chairmanship. How could, then, Sir Muhammad be expected to change his views unless he acted as he did in respect of his views on the Muddiman Committee, which he changed after his membership of the Government. The President next read out the provision in the constitution that the annual session 'shall be held' as decided by the Council of the League. How could, then, the decision of the council for a Calcutta session be disobeyed? As regards the united Muslim opinion, what guarantee was there that such unity would be forthcoming? If unity was not attainable in spite of honest efforts, a self-respecting community must not shirk disunity on fundamental matters. If the Muslims held that religion could not be divorced from politics, then the lead in favour of boycott of the Commission given by the session of the Jamiat-ul-Ulema at Peshawar and by the Khilafat Conference at Madras should be acceptable to them. How could the Muslim League keep its mouth shut in view of the self-respect of the community, which demanded a courageous lead?

## An Unasked for Commission.

He did not think that he should give his views on the Simon Commission elaborately as those had been widely circulated. The President recalled that in 1924, 1925 and 1926 the popular representatives in the Assembly had passed resolutions by an overwhelming majority asking for an advancement of the enquiry, but the Government was adamant. Now the Government had given them a commission unasked. The reason was apparent. The Government felt convinced that unity between the two communities was least likely at this time and that, therefore, the Commission should be appointed at this juncture. Indians had been excluded because they would not have agreed on a common report. Was there any basis for his fear? There was the case of the Skeen Committee which dealt with the most delicate problem of defence of the country. Not only were all the Indian members unanimous in their recommendation, but Mr. Jinnah made the European president also sign the unanimous report. Mr. Jinnah had acted so brilliantly in conducting the cross-examination in London that the Government had decided not to risk a similar performance and a unanimous report.

He declared that he was not a non-co-operator but had always been a co-operator and it was as a co-operator that he would urge the Muslims to co-operate with the Government in the manner the Government had co-operated with them. Thus, as the Government did not want their co-operation on the Commission, so they would not offer co-operation and go near the Commission. His religion did not teach the turning of the second cheek if one was smitten, but tit for tat.

### Hindu-Muslim Differences.

Dealing next with the Hindu-Muslim quarrels, he did not wish to apportion blame, but their Prophet had left an example for them for guidance in the action of his Holiness in making a settlement with the Jews of Medina in the spirit of give and take. This spirit of give and take should regulate their conduct. Unity would not mean the absorption of one community by another. They should, like a joint Hindu family, sit at home and mutually divide the property. Such action would win for them the respect of the outside world, but if they took recourse to litigation and decision by a third party, the world would condemn them for casting a blot on the names of their ancestors. He opined that the Madras Congress settlement would be acceptable to 90 per cent. of enlightened and educated Mahomedans. The League should consider this settlement and declare its opinion on it, showing where it was acceptable and where they wanted its modification. They had been challenged to produce a constitution and had been taunted that if they were sincere in their declaration of readiness for Swaraj, they should produce a joint agreement. This challenge must be accepted and the Congress settlement should be examined and passed with whatever changes were deemed desirable, for, after all, it was not unchangeable like the laws of the Medes and the Persians. When an agreement was reached on the settlement it would be entrusted to a special committee of Hindus and Muslims to draw up a constitution on the basis of the settlement. Thereafter a special meeting of the League could be summoned to ratify the Swaraj scheme.

### Need for Muslim Newspapers.

Finally, the speaker felt that the community had not a single daily newspaper in India, while the Hindus and other communities had a large number of journals in every town. To fight political battles without a newspaper was like a sepoy without a sword. If they could not float even one newspaper how could they claim to have Swaraj? The Maharaja of Mahmudabad's efforts in this direction should be supported by every Muslim. Indeed, this was their primary duty.

The President then declared that the country was faced by an intense storm. The Muslim League vessel was being steered through troubled waters. He would try to pilot it safely but for his success he would need the fullest assistance of the crew. He particularly thanked Mrs. Besant and Mrs. Naidu for attending the session. This ninety-year old lady was younger than their young men, and would not seven crores of Muslims show even the strength of this ninety-year old lady? He expressed gratitude to Mrs. Naidu, to whose efforts the Madras unity settlement owed so much.

The President's address lasted 45 minutes and he resumed his seat amidst loud and prolonged applause. The meeting then adjourned.

*SECOND DAY—31ST DECEMBER 1927.*

On this day the Muslim League reassembled in the morning. The attendance was thinner than yesterday, being confined to delegates only. The conversations among delegates showed that the general desire was not to take any definite decision on the question of electorate and merely to welcome the Madras settlement as paving the way for unity without committing themselves to its detailed provisions.

**1.—Condolence Resolutions.**

The first two resolutions were moved from the Chair and were passed, all standing. They read:—

(1) The All-India Muslim League mourns the irreparable loss to India caused by the sudden death of Masih-ul-Mulk Hakim Muhammad Ajmal Khan. His selfless devotion in the cause of India's freedom, his untiring efforts in welding together the various communities into a united nation and his invaluable services to the nation in general and the Muslim community in particular had made him a national asset. The country has lost in him a profound scholar and one of the greatest exponents of the art of healing and every one in need has been robbed by his death of a true friend and generous benefactor.

The All-India Muslim League places on record its profound sense of sorrow at the passing away of an illustrious Muslim patriot and conveys its sincere and heartfelt condolences to the bereaved family and prays to the merciful Allah to bestow eternal peace on the soul of our departed leader.

The League calls upon all who mourn his loss to make a united endeavour to commemorate his life's work by placing on a sound financial basis the Jamia Millia Islamia and the Ayurvedic and Unani Tibba College, which owed their origin to him and were maintained through his untiring efforts.

(2) The All-India Muslim League places on record its sense of loss at the sudden and premature death of the hon. Syed Alay Nabi, who was associated with the League from its very inception, had throughout worked for it and stood by its principles. The League offers its sincere condolences to the members of the family of the deceased and prays to Allah to bestow peace on the departed soul.

**2.—Boycott Resolution.**

Sir Ali Imam (Bihar), then, on behalf of the Subjects Committee, moved the Boycott Resolution, which, the President declared, was the principal resolution of the morning. It ran as follows:—

The All-India Muslim League emphatically declares that the Statutory Commission and the procedure, as announced, are unacceptable to the people of India. It, therefore, resolves that the Mussalmans throughout the country should have nothing to do with the Commission at any stage or in any form.

Sir Ali IMAM said the Simon Commission had become the subject of deep concern and anxiety to the people of India. The procedure was already known and did not require a detailed exposition. It was clear, firstly, that Indians were excluded from the Commission and, secondly, that the procedure reduced them to the position of witnesses. The resolution dealt with both these points.

His Majesty's Government had given excuse after excuse for the exclusion of Indians. The statutory bar had been first brought forward, viz., that the Act conceived of a purely Parliamentary Commission, though it did not say so in plain terms. As Indians were not represented in Parliament, the exclusion of Indians was inevitable. A meaning had thus been placed which the statute did not imply. The legal excuse could not, therefore, be taken as placing a just and reasonable construction on law.

Sectionarian interests were trotted forth for their exclusion. He did not believe that British statesmanship and intellectuality, which stood at such

high water mark, could not find representative Indians. The British Cabinet could have taken the simple step of asking the provincial and central Legislatures to elect a panel from among their members or non-members, out of whom five could be selected—two Hindus, one Muslim, one European non-official and one High Court judge. But all of these must first be elected by the popular Legislatures. The British Government would then have been absolved from any criticism about Indian representation.

As regards the accusation of prepossessions, there was no individual in the world without a prepossession. 'But if there are prepossessions, once the oath of office is taken, whether he be British or Indian, he looks upon the discharge of his duties as an official who has got to be dispossessed of his prepossessions. And I venture to think that there are many Indians who will act on that Commission with a sense of responsibility and not allow their prepossessions to come in, just as much as any Britisher. Has a single Indian judge of a High Court been found to make communal bias and not dispense impartial justice? Was the membership of the Commission more honourable and onerous than a High Court judgeship? Are you going to submit to this indignity? I am a moderate of moderates. I was called a sun-dried bureaucrat. But my conscience finds it impossible to accept this Commission.'

Their opposition to the Commission, said Sir Ali Imam, was not merely sentimental. He would not stand out on that ground alone. The real issue was what was the relationship between India and England? Ours was that of serfs who would gratefully pick up the crumbs falling from the table of British statesmanship. It was another relationship to which they were lavishly treated during the war. 'We were called partners. We were told of the change in the angle of vision. Our blood had mixed in the battle-fields of Flanders. I frankly tell you I fully believed that there was a change in the angle of vision, but I have been disillusioned. We are now told we do not fit to sit at the same table. Are you going to go down? I, for one, a sun-dried bureaucrat, refuse to take the insult lying down'.

He next examined the procedure of the Commission. The position of the select committees would be that of witnesses. 'Is that partnership? Mr. Baldwin has called the committees colleagues of the Commission. Misuse of language cannot go farther. They are no more colleagues than petitioners in a court of justice. We cannot agree to this scheme which has taken away from us the position of partners so long as we are treated as petitioners. The delegations to London will also be petitioners. Are you going to subscribe to this arrangement? (No no.) It is the thin end of the wedge. Indians must remember their place in the Empire is subordinate. We Indians to-day assert our right to be treated within the Empire as equal partners and if we do not succeed to-day in enforcing this assertion, we shall succeed to-morrow or the day after. Do not be misguided by the thought that our claim will not be heard. That claim that has not behind it that assertion which I am urging will never be heard; but the claim that has behind it the force of assertiveness, that claim in the long run will succeed. Therefore, do not be demoralized by any consideration as to whether this thing would be heard or not. If it is not heard to-day, the time is coming when it will be heard. If still it is not, we shall not care whether it is heard or not.'

Continuing, Sir Ali Imam said the resolution had been purposely drawn up in terms which would be acceptable to all parties—to those who denied



any voice to Parliament, to those who stood for a round table conference and to those like him who would have been satisfied with Indian members on the Commission. The resolution would meet the wishes of all those who had not only self-respect but had the necessary patriotism to assert without hesitation that self-respect demanded that they must participate on equal terms in the framing of the constitution of future India. (Hear, hear.)

Mr. Jinnah.—That is the minimum.

Sir Ali Imam.—Yes, that is our minimum. You as a responsible body of members of the All-India Muslim League will not hesitate to give your unanimous support the resolution couched in terms not intemperate but sober. There was no feeling of resentment in the resolution, concluded Sir Ali Imam.

Mr. Yakub HASAN (Madras) said his experience of the failure of the boycotts organised by the non-co-operators had made him sceptic about the success of another boycott. But he was glad that the country's attitude had proved him to be wrong. The views of the Muslim ex-members of the Government were for boycott by three to one, with the Maharaja of Mahmudabad, Sir Ali Imam and Sir Abdur Rahim, on one side, and Sir Muhammad Shafi, on the other. Unless the session laid down the outlines for the future constitution, the boycott would not be as fully effective as they would like it to be.

By this time attendance had grown very considerable, and Dr. Ansari was given an ovation as he entered the hall.

Mr. TAMIZ-UD-DIN, opposed the resolution. He said the exclusion of Indians had wounded Indian vanity, but he asked when before had under British rule Indians been given the right to participate. Only a commission with a majority of Indians would have been acceptable. 'We have not been able to coerce England to appoint such a commission.' It was said India had won the right of equality during the war. But since then, non-co-operation had been launched and failed. There were in India two schools of thought. Those who would take nothing from England would logically boycott the Commission, ("Mr. Mohamed Ali"—Hear, hear.) though such course would be of no avail. But there were others who believed that the British Government out of fear of India, at some future date, going out of the Empire was anxious to concede its legitimate aspirations. These men should take advantage of the fresh opportunity offered to them sincerely.

The non-Brahmins and the depressed classes would go before the Commission. The Muslims were also a depressed class under economic slavery to the majority community. Could Muslims boycott when the other depressed classes did not do it? 'It will do some harm to the whole of India and from the Mahomedan point of view it will be suicidal. Do not fritter away your energies in boycott. If you can agree upon a constitution and can compose your differences, that will be a fitting reply to Lord Brienhead's challenge and if after that your demands are satisfied, if England goes back upon promises, then it will be time to consider what steps to follow to bring England down upon her knees, if that is at all possible. If you boycott the Commission now, you will be putting the cart before the horse. England has given you a challenge to draw up a constitution. If we can agree, there cannot be any purpose in boycott.'

Maulana Mohamed ALI replying to Mr. Tamiz-ud-Din, asked, if the speaker was a better household manager, would Mr. Tamiz-ud-Din entrust to

him the task of his household management? So it was that no nation could concede to another nation the right of rule over it. The Germans were better organisers than Englishmen. Would Englishmen, therefore, surrender their country to German rule?

'I admit,' proceeded Mr. Mohamed Ali, 'I am unfit to wrest the rule back from English hands, but I do not concede any ethical basis to the British purpose in India. I challenge the preamble of the Act of 1919. My quarrel is not with the jury. Even if it had consisted of Indians exclusively, my objection would have remained. If a matriculation standard paper is put on India to the 700 members of Parliament, not 70 will pass the test and these will be those who are untrue to India's salt.'

Miss Mayo, continued Mr. Mohamed Ali, had been supplied information by imperial service men. He had proof with him of a letter written by Dr. Ziauddin Ahmed to Mr. Coatman, asking for a subsidy for the "Aligarh Mail." ("Voices".—Read it.)

The speaker said it ran—'I introduce to you Mr. Jaffry, editor, "Aligarh Mail." Will you please pay him from September to January? (Shame.) Will you please give him general advice and give him also practical tips.—Yours Sincerely, Ziauddin.'

Mr. Mohamed Ali.—It is this class of people who come to tell us not to boycott the Commission in the interests of Muslim solidarity.

Reverting to the subject of the Statutory Commission, Mr. Mohamed Ali said the British Government already made up their mind on the subject of changes in the constitution. No Hindu was going before the Commission. So there was no fear of their gaining at the expense of Muslims. The Britishers' game was only to grant something to one community against another. The resolution before them was a tame one. He did not believe that for a little gain the Muslims would sacrifice the glory of Islam. If they did, with what face could he go to men like Major Graham Pole and ask them to adopt the Muslim faith?

Mr. Jaffry, ex-editor of "Aligarh Mail," testified to the letter quoted by Mr. Mohamed Ali having been given to him by Dr. Ziauddin Ahmed and his having resigned when this subsidy was not forthcoming from the Government.

Mr. Barkat ALI, Secretary, Punjab Muslim League, said even assuming that the final responsibility lay with Parliament, the inclusion of Indians on the reporting body could not have interfered with that responsibility. Place-hunters might declare otherwise, but the League as a self-respecting body must not accept a course incompatible with national honour and self-esteem.

Mr. Shagla, Secretary, Bombay Provincial Muslim League, asked whether Muslims had fallen so low as to lend themselves in the market place to the highest bidder between the Government and the Hindus? They must join the Hindus to make the boycott universal and effective.

Mr. Shamsuddin Ahmed (Bengal) asked whether British rule had made Mr. Tams-ud-Din go so low as to call Muslims depressed classes.

Maulana Zafar Ali, of Lahore, declared that with the exception of those who worshipped official potage, the whole Punjab was with them. When what they thought to be the reactionary Mahasabha element had surrendered itself to the Congress, will the Muslims must not hesitate?

Mrs. BESANT then addressed the gathering. She said every invader before the British had identified himself with the people of India and had

settled down and become Indians. The Britishers had, however, remained foreigners. They extended their domains by resorting sometimes to fraud and sometimes by setting Indians against Indians. The Britishers had wielded authority but had never become Indians. During the war Mr. Asquith had stated that foreign yoke would be intolerable and had called upon Indians to help.

Mrs. Besant declared that since she entered public life 53 years ago, she had claimed home rule. 'No one nation has the right to govern another. (Hear, hear.) The life of a people may change, but the nation remains indestructible. It is as eternal as God Himself and to deny the right to that nation of self-government is treason against humanity as a whole. Those who live in India should identify themselves with her life and national struggle. My own fundamental objection to the Commission is that it is a step backward.'

Mrs. Besant recalled how the King had through the Duke of Connaught sent a message to the people of India on the reforms being the beginning of Swaraj within the Empire and how this exclusively foreign Commission was appointed and how it was to go back even on the existing reforms. 'We have the right to rule ourselves and it is in the assertion of this right that I voted in the Congress for national independence.' The Prince of Wales had wisely called this Commonwealth of Nations. Domination must disappear and every nation must be willing partner in the commonwealth on the basis of mutual service.

Continuing, Mrs. Besant declared that this resolution was such that all could join to support it. She was not sorry that even two or three Indians were not appointed on the Commission as that might have made them linger on by accepting half a loaf instead of full. Concluding, she made an impassioned appeal for boycott of this foreign Commission.

The resolution of Sir Ali Imam was put to the vote and was declared carried amidst acclamation by an overwhelming majority, only two dissenting.

### 3.—Joint Electorate.

Mr. Barkat ALI next moved the compromise resolution, on behalf of the Subjects Committee, adopting the Delhi proposals and the Congress settlement, subject to the modification that separate electorates, which are inevitable under the present circumstances, will be abandoned in favour of general electorate with reserved seats only after Sind is actually constituted into a and the separate province North-West Frontier Province and Baluchistan are actually granted the same reforms as other provinces. The resolution ran as follows:—

#### CONSTITUTION FOR INDIA.

The All-India Muslim League authorizes the Council of the League to appoint a sub-committee to confer with the Working Committee of the Indian National Congress and such other organisations as the council may think proper for the purpose of drafting a constitution for India, in which the interests of the Muslim community will be safeguarded, having regard to the following proposals, which the League approves of and adopts, and subsequently take part in the National Convention which is going to take place in Delhi in March next, as suggested by the Indian National Congress.

#### SIND AND FRONTIER PROVINCES.

(1) That Sind should be separated from the Bombay Presidency and constituted into a separate autonomous province.

(2) That reforms should be introduced in the North-West Frontier Province and in Baluchistan, placing them on the same footing as the other provinces.

(3) That in the present circumstances the representation of Mussalmans in the different Legislatures of the country through separate electorates is inevitable and that the Muslims will not accept any scheme involving a surrender of this valuable right unless and until Sind is actually constituted a separate autonomous province and reforms, as aforesaid, are actually introduced in the North-West Frontier and Baluchistan provinces. When these requirements are fully satisfied, the Muslims will be prepared to abandon separate electorates in favour of joint electorate with reservation of seats, fixed on the basis of the population of different communities, subject to what is stated hereinafter :

(i) In Sind, the North-West Frontier Province and Baluchistan, the Muslim majority shall make the same concessions with regard to the proportion of seats reserved to the Hindu minority that the Hindu majority in other provinces would make to Muslim minorities over and above the proportion of the population of the provinces which shall be the minimum basis,

(ii) In the central Legislature, Muslim representation shall not be less than (?)

#### BELIGIOUS SETTLEMENT.

The League further resolved bodily to incorporate in the text of the above resolution the provisions in the Madras Congress settlement regarding liberty of conscience, religious legislation in legislatures, the cow and music question and conversion.

Mr. Barkat Ali said the resolution repeated their old position, with this important exception that for the first time in the history of the League there was a change in its angle of vision. 'We are offering by means of this change a sincere hand of fellowship to those of our Hindu countrymen who have objected to the principle of separate electorates.' If the Hindus joined the Muslim demand and the Government, Sind could be separated and the Frontier Province and Baluchistan be given reforms. But unless these conditions were fulfilled, Muslims would not be able to give up separate electorates.

Maulana Shaukat Ali congratulated the League on the resolution before it. He said the Congress Committee had sat till 2 o'clock at night and the Hindus fought Hindus to come to a settlement. No occasion arose for the Mussalmans to speak. It was now for the League to adopt the settlement and earn the everlasting gratitude of the Muslim community.

Maulana Zafar Ali Khan said that lakhs of Muslims today all over India were crying against the proposed abandonment of separate electorates. A time would be coming when the need for such electorates would cease to exist. But they must wait for that opportunity. The speaker urged that the principle of adult suffrage should be made another condition to the abolition of separate electorates. Muslims were economically poorer and adult suffrage would be the only remedy.

Mr. Wahid Hussain testified from his knowledge to the return of Muslim commissioners in overwhelming numbers in Chittagong and elsewhere. This had happened in spite of the semindar and Mahajan influences, because the Muslim consciousness had now been roused. Here was a chance for the best men to be returned. 'Some say separate electorate is our "magna charta." I deny that. We have a right to exist and on that right we stand. Let us give a lead to the masses.'

Mr. Azis-ul-Haq (Bengal) proposed that the discussion on the matter be deferred for a month.

Mr. Nurul Haq supported Mr. Barkat Ali. He contested the statements of Mr. Wahid Hussain and declared that with the exception of two municipalities in east Bengal, there was no other municipality with a Muslim majority. The fate of the Bengal Pact had shaken his faith.

Mr. Akram Khan (Bengal) warned the delegates against adult suffrage, proposed by Mr. Zafar Ali, which would reduce, according to census, the Muslim majority in Bengal. He wanted the speakers to state frankly what their views were.

#### Dr. Besant's Acceptance

At this stage, Dr. BESANT announced her acceptance of the proposals. The Commonwealth of India Bill provided for general electorate with reserved seats. She, however, accepted the condition proposed in the resolution regarding the creating of autonomous provinces of Sind, the Frontier Province and Baluchistan and would see that this change was made in the Bill; otherwise she would not work for its passage in the House of Commons. She, however, foresaw no difficulty in getting the Bill so amended.

Maulana Abul Kalam AZAD declared that by the Lucknow Pact they had sold away their interests. The Delhi proposals of last March opened the door for the first time to the recognition of the real rights of Mussalmans in India. The separate electorates granted by the pact of 1916 only ensured Muslim representation, but what was vital for the existence of the community was the recognition of its numerical strength. Delhi opened the way to the creation of such a state of affairs as would guarantee to them in the future of India a proper share. Their existing small majority in Bengal and the Punjab was only a census figure, but the Delhi proposals gave them for the first time five provinces of which no less than three (Sind, the Frontier Province and Baluchistan) contained a real overwhelming Muslim majority. If the Muslims did not recognize this great step they were not fit to live. There would now be nine Hindu provinces against five Muslim provinces and whatever treatment Hindus accorded in the nine provinces, Muslims would accord the same treatment to Hindus in the five provinces. Was not this a great gain? Was not a new weapon gained for the assertion of Muslim rights?

Mr. JINNAH said those who adopted the Delhi proposals considered them just and reasonable, but did not get that support which they expected from their Hindu friends till the Congress Committee met in May in Bombay and revived the dead body of the Delhi proposals. He emphasized that every one was not expected to agree to every word or every clause of the long resolution before them but so far as the spirit of it was concerned he was in favour of it. All his public life he had believed in doing his best to carry his people with him. When he came to Calcutta, he had no doubt that some opponents would blame them for having adopted the resolution that they were going to adopt. But in this League he found an overwhelming majority for the resolution.

'These proposals', proceeded Mr. Jinnah, 'are the outcome of many heads. You cannot expect every one to commit himself to every word and every clause of this long resolution. But so far as the spirit of the proposals is concerned it is undoubtedly just and fair to both communities. We have got a majority in this house, but shall we be able to carry the majority in the country? Nothing will please me more, but at the same time it will be fair to say that I am not so sure that I am satisfied that the majority of Mussalmans throughout the country are in favour of it. That remains to be decided and it will be our business to try our best to make the people understand and convince them, to carry them with us, because on merits I am convinced that this proposal is the finest thing that can happen to Mussalmans and to India.'

Mrs. Sarojini NAIDU said Maulana Abul Kalam Azad had struck the only note that was necessary, namely, that they should not look at the settlement in the petty spirit of traders. The Indian National Congress was not a sectarian body. It adopted the Muslim proposals because they were so just and so reasonable and not as the price paid for Muslim co-operation in the national struggle. She would ask them to see that the great democratic spirit of Islam and the great metaphysical spirit of Hinduism should mingle to make for Indian nationhood.

Major Graham POLE, on being called upon to address the gathering, said he belonged to a group that held, in the words of Mr. Lansbury, that no nation had been made by God that was fit to rule another nation. They believed that good government was not a substitute for self-government. Every people had something to contribute to the world's progress, if allowed self-determination. As for Lord Birkenhead, he had heard hard things about him. But Lord Birkenhead had been the greatest unifier of India for generations. On his return he would tell the Secretary of State so. The speaker said that by coincidence he had attended the Lucknow Congress and also the Madras Congress, at both of which Hindu-Muslim settlements were arrived at. The Madras settlement was even greater than the Lucknow one. The one thing wanted was that every Indian should be proud of being an Indian, so that like Romans he could say:—'I am a citizen of India and that is enough.' He was sorry why they so much read British history. He felt humble when he read Indian history, which should make Indians tremendously proud of themselves.

Finally, Major Graham Pole assured the audience that the Labour members were sincerely anxious to do their best for India and if due to the long distance there was not a proper understanding of the Indian situation, let them not misunderstand India's friends in England, who were doing their best every day to bring about a better understanding and to work for that Swaraj which, he hoped, many like him would see India in their life time attain triumphantly.

Both the amendments having been withdrawn, the resolution of Mr. Barkat Ali was put and declared carried unanimously amidst cheers.

A small sub-committee was appointed to recommend changes in the rules and the session was adjourned till next day.

### THIRD DAY—1ST JANUARY 1928.

#### Other Resolutions.

Resuming its session in the town hall this afternoon, the All-India Muslim League adopted a resolution condemning the action of Sir Muhammad Shafi and his colleagues in rebelling against the authority and decision of the Council of the League to hold its session in Calcutta and purporting to hold one at Lahore in contravention of the constitution of the League. The meeting further opined that the responsibility for causing a split among the Mussalmans at this critical juncture in the history of the community must rest upon Sir Muhammad.

The meeting next adopted a resolution regretting that the Punjab Provincial Muslim League had flagrantly defied the authority of the present body of the League and deemed it essential as a matter of disciplinary

principle that the constitution and authority of the League should be maintained and upheld. In the circumstances the only course open to the League was to disaffiliate the Punjab Provincial Muslim League and it was resolved that this body should be disaffiliated and the Muslims of the Punjab called upon to constitute a provincial Muslim League truly representative of the Punjab.

Speaking on the resolution, Maulana Mahomed Ali said that it was painful to ask for the disaffiliation of a body like the Punjab Provincial Muslim League and he should have liked that an opportunity be given to Sir Muhammad Shafi to justify his conduct, but the way Sir Muhammad had behaved left no other course open.

The League also decided, on the motion of the president Maulvi Mahomed Yakub, to call upon the Mussalmans of India to lend full support to the project of the Maharajah of Mahmudabad and others to start a daily Muslim newspaper at Lucknow.

The remaining resolutions condemned firing on the Mahomedans at Kul-kati and the Government's refusal to institute an enquiry into the occurrence and the refusal of a passport to Mr. Saklatvala to return to India, resented the action of the Central Provinces Government in refusing to issue reports of Mr. Awari's health and demanded the release or trial in open court of the Bengal Ordinance prisoners.

At the request of the president, Pandit Madan Mohan MALAVIYA addressed the meeting and, in an impassioned appeal for unity, said that the responsibility for the present state of affairs in the country rested mostly upon their own heads. Their quarrels in every instance related to the question of cow killing or music before mosques and the Pandit thought that it was yet possible for them to sit down and arrive at some conclusion to settle the matter. As it was, their opponents were taking advantage of these differences and misrepresenting them to the civilised world outside and by their own action they were perpetuating their own serfdom. The Pandit recalled Plassey and asked them to unite and prevent these deplorable occurrences in order that they might usher in a new era of prosperity and power.

Referring to the Simon Commission, the Pandit characterised it as a God-given opportunity to rouse them to a sense of duty and responsibility and exhorted all Indians to make its boycott as complete as possible.

Concluding, the Pandit appealed again to those present, asking them to be united, with only one desire, namely, to be just to each other and to have confidence in each other, always remembering that they were Indians first and Hindus and Mussalmans afterwards. If they could do that, there would be nothing to stand between them and Swaraj.

Addressing the meeting, Mr. JINNAH declared :—A constitutional war has been declared on Great Britain. Negotiations for a settlement are not to come from our side. Let the Government sue for peace. We are denied equal partnership. We will resist the new doctrine to the best of our power. Jallianwalla Bagh was a physical butchery, the Simon Commission is butchery of our souls. By appointing an exclusively white Commission, Lord Birkenhead has declared our unfitness for self-Government. I welcome Pandit Malaviya and I welcome the hand of fellowship extended to us by Hindu leaders from the platform of the Congress and the Hindu Mahasabha. For, to me this offer is more valuable than any concession which the British Government can make. Let us then grasp the hand of fellowship. This is

indeed a bright day, and for achieving this unity thanks are due to Lord Birkenhead.

In declaring the session closed, the president described it was a successful one, having regard to the quantity and quality of the work done.

## The Rival Lahore Session.

The Lahore section of the All-India Muslim League, which was wavering till the evening of the 30th December, and was anxiously awaiting the decision of the Calcutta section having learnt of the Calcutta decision not to postpone the meeting, also made up its mind to hold the session at Lahore the next day.

Twenty-five persons and institutions had sent either telegrams or letters from different parts of the country, approving of the Lahore session of the League. These included messages from the Muslim Federation (Bombay), the Anjuman Ittihad-i-Islamia (Poona), the Khilafat-ul-Masih (Qadian) and the hon. Sir Mahomed Fakhruddin (Bihar).

The Lahore session of the All-India Muslim League commenced on the 31st December in Habibia Hall, Islamia College, at 11-25 a.m. The hall was crowded. Lord Headley was cheered as he entered the hall. At 11-20 the president-elect and chairman of the Reception Committee entered the hall in procession, accompanied by prominent members of the Reception Committee. Prominent Punjab Khilafatists including Dr. Muhammad Alam, Malik Lal Khan, Chaudhri Afzal Haq and Shaikh Hissam-ud-Din were also present.

Three hundred and fifty-two delegates attended the session, 300 from the Punjab, 21 from the United Provinces, 12 from the North-West Frontier Province, six from Bombay and Delhi, each, four from Calcutta and three from Sind.

### Syed Amir Ali's Message.

Messages expressing inability to attend the League and wishing it success were read from a number of Mahomedans from different parts of the country. A message was received from Syed Amir Ali (London), which said that the policy of boycott was prejudicial to the interests of India, specially to minority interests.

### The Welcome Address.

Welcoming the delegates, Nawab Sir Zulfiqar Ali Khan, Chairman of the Reception Committee, said he could not refrain from saying that he observed with a feeling of sadness that some of their prominent brethren who should have been present here to-day were absent. The small body of Muslims holding their meeting at Calcutta had proved itself incompetent to understand the seriousness of the time and the intensity of the present situation.

Referring to the boycott of the Simon Commission, he said that the decision of an overwhelming majority of Mussalmans to co-operate with the Commission was not hastily adopted. It was the result of profound knowledge and painful experience of the treatment meted out to them by the Hindus. There was no other course open to them but to come to this conclusion. The Muslims as a minority community must vindicate their rights and the only chance under the circumstances was to approach the Simon Commission with manly composure and seek justice from it.

Sir Zulfiqar Ali Khan then enumerated the following Muslim demands:—(1) separate representation in the various legislatures and local bodies on a population basis, (2) a system of separate electorates, (3) separation of Sind from Bombay, (4) grant of reforms to the Frontier Province and Baluchistan, and (5) adequate Muslim share in the services.

Referring to the last demand, Sir Zulfiqar Ali Khan said:—We declare it most emphatically that, while we have no desire to infringing on the rights of



others, we strongly resent our rights being infringed on by others. We shall wait to see what notice Government take of our complaint in this connection. If I were literally to interpret the sorrows of Muslims in this matter, I would say Laeter a terrible end than terror without end.

Concluding, Sir Zulfiqar Ali Khan said that if further extension of the reforms was made in the provinces, the Punjab should not be denied provincial autonomy as a strong desire for autonomous government thrilled their very soul. It was mostly the valour of the Punjabi soldier which saved the modern civilisation from utter ruin. Was it possible that with such a record and equipment for self-government, the Punjab was to be denied the right to have autonomy? He did not think that the British people would be so insensible to the demands of gratitude as to ignore their right to this high privilege.

Appealing to his Hindu fellow-countrymen, he said :—It is not yet too late to adjust our differences. Everything depends on our unity. Utter the magic word that we are united and the world will bow before you. Keep silent and you remain in bondage. Together we can master even hostile fate. But if you do not accept the friendship we offer to you, the blame will rest with you.

### President's Address.

The president, Sir Muhammad Shafi then delivered his presidential address.

'I am sincerely convinced', said he, 'that in the existing political conditions in this country, joint electorate, whether with or without reserved seats, would be certain to furnish a periodically recurring cause of friction between the two communities and would in consequence be in the highest degree injurious to the cause of Indian nationalism.' He ridiculed the suggestion that separate electorates had been the cause of inter-communal friction. He pointed out that separate communal electorates were first introduced as a result of the Minto-Morley Reforms and for a period of years since their introduction the two great communities lived in an atmosphere of mutual co-operation and good-will. One of the basic principles of the modern system of democratic government was that the legislature should be really representative of the people. The system of electorates in India must, therefore, be so framed as to give the fullest scope to the real representation of the population, including the Adi-Hindus and labour.

Referring to the Simon Commission, he said what concerned the Muslim community, in particular, was the provision in the Reforms Scheme of 1921 that the present Commission was to consider the working of the franchise and the constitution of electorates, including the important matter of retention of communal representation. He, therefore, requested all to settle their political differences and then present a united demand on behalf of India regarding the next step in the constitutional advance. A unanimous demand thus made would be irresistible, no matter what the constitution of the Royal Commission might be.

The Muslim League, therefore, should call upon the sister communities to arrive at a satisfactory settlement of inter-communal political controversies and to prepare a scheme of constitutional reforms which, while satisfying the legitimate aspirations of the Indian political intelligentsia, would at the same time ensure to the Muslim community and other minorities in India enjoyment of their just rights and the satisfaction of their reasonable aspirations.

He urged the appointment of a committee to collaborate with the committees appointed by other organisations to evolve a satisfactory scheme and to bring about unanimity of public opinion.

Sir Muhammad Shafi demanded the introduction of constitutional and administrative reforms in the North-West Frontier Province and separation of Sind from the Bombay Presidency. The speaker discussed at length the future reforms and said the existing control of the Secretary of State in departments dealing with internal affairs was not conducive to the best interests of administration. He suggested that the Government of India be relieved of the irksome chains with which they were bound in this respect.

Detailing his suggestions for immediate reforms in the central and provincial machineries, he urged "inter alia" that the Foreign and Political Department be placed in charge of one member; and an additional civilian member

for the Army be appointed to take his place within the Indian Cabinet; and membership of the Viceroy's Executive Council be increased to eight, four of whom should be Indians. He also opined that in the central Government the member or members in charge of transferred subjects be selected from among the elected representatives of the people in the central Legislature and should be made responsible to it for their administration. As for diarchy in the provinces, Sir Muhammad Shafi remarked that this interesting experiment should now be abandoned and they should revert to the principle of unitary provincial Governments.

He then dwelt on the legality or otherwise of the meetings of the council of the All-India Muslim League held at Delhi on November 20th and December 11, respectively. He said he was elected president of the League by both the council meetings and the Punjab Muslim League duly approved of his election and the council of the All-India Muslim League thus became "functus officio". As far as the questions of venue and presidentship of the annual meeting were concerned it was obvious that where the validity of a decision depended on the agreement of two parties, no one of them had any power to set it aside after the necessary agreement by the two had been arrived at. The pretence of Dr. Kitchlew to call the meeting of December 11th was the statement issued to the press by him that he (Sir M. Shafi) would relinquish the presidentship in favour of the Aga Khan, should the latter be willing to support separate Muslim electorates.

That, said Sir Muhammad Shafi, was obviously a matter between the Aga Khan and himself and until he finally tendered his resignation of the presidentship, there was no occasion for calling another meeting of the council to decide what had already been finally settled on November 20th. Therefore, the meeting held on December 11th was entirely illegal and he did not know under what rule and authority Maulvi Mahomed Yakub was elected president of the Calcutta session of the League, yesterday. This election took place without even sending any intimation to members of the council of the All-India Muslim League, who were in Lahore, and, therefore, as they truly elected president of the All-India Muslim League, Sir Muhammad Shafi declared the meeting in Calcutta as illegal.

The League then adjourned and formed into a subjects committee to discuss draft resolutions which were put before the open session which met again in the afternoon at 3-30 p. m.

#### 1.—Invitation to Non-Muslim Communities.

Mr. Ghaznavi (Bengal) moved the first resolution, which ran as follows:—

'This annual session of the All-India Muslim League invites the leaders of all non-Muslim communities in India to come to a satisfactory settlement with the Muslim community, before the Royal Commission begins its work, regarding the future constitution of India and the rights and interests of the Muslim community as embodied in the foregoing resolutions, with a view to a joint preparation of a draft constitution for India, adequately safeguarding the legitimate rights and interests of all communities, for presenting the same before the Statutory Commission or the British Parliament or both.'

In moving the resolution, Mr. Ghaznavi advised the audience not to boycott the Commission, which would be prejudicial to Muslim interests. Points of order were raised by Mr. Afzal Haq and Raja Garnafor Ali Khan that the speech the mover was reading had no relevancy to the subject under discussion.

The president allowed the speaker to continue.

After a few minutes Mr. Aurenzeb Kan (Frontier Province) also rose to a point of order and asked the president to inform the house on which resolution the mover was making the speech.

Maulana Akhtar Ali Khan asked the president whether there was any time limit for the mover of the resolution.

Amidst constant interruptions, Mr. Ghaznavi had to hurry through his speech. Maulana Hasrat Mohani, seconding the resolution, said their experience of the non-co-operation days showed that the boycott of the Commission would not succeed. They should, therefore, put their heads together and frame a constitution for India, which they should place before the Simon Commission and if that

was not accepted there would be time for a boycott. He did not believe that they had been insulted by the exclusion of Indians from the Commission. The insult was in the appointment of the Commission itself. He therefore advised that they should not talk of boycott at that stage.

Chandhri Afzal Haq, (Khilafatist, Punjab) next rose to speak and was greeted with loud shouts of 'Allah-o-Akbar' by the Khilafatists who had turned out in greater strength in the afternoon session than in the morning session. He said if a mutual understanding with sister communities in India was their objective, they should devote their attention to that question; why should they bring in the Royal Commission at all in the resolution?

At this stage the speaker was again greeted with loud cheers by the Khilafatists when the president had to appeal for order. On this more confusion followed and Dr. Muhammad Alam and Malik Lakshan, Khilafat leaders, had to come on the "dais" and appeal to the audience to stop all shouting. Within a few minutes order was restored and Chaudhri Afzal Haq, continuing, said that because the boycott programme during the non-co-operation days failed that was no reason why they should give up boycotting the Royal Commission. He believed that no programme in the world was ever carried out completely or successfully to the satisfaction of all. As Mussalmans it was their duty to convert the whole world to Islam. Had they been able to do it? If they had not, should they give up Islam? After 50 years of begging, all that the Government had given them was separate electorates. Was that the be-all and end-all of Mussalmans? From his own experience in the Punjab Legislative Council he could say that they, the Mussalman members of the Council, by co-operating with the Government, had gained nothing. For six years the Government took advantage of the Muslim co-operation and when it found that the Hindus and Mussalmans were fighting with each other and Mussalmans' co-operation was no longer necessary, it did not care for them.

He wanted to move an amendment to the resolution, but as he had exceeded the time limit the president asked him to resume his seat.

Mr. Masudul Hasan, (United Provinces), supporting the resolution, said the boycott would do great harm to the Muslims, who were ruining their interests by swallowing poisonous pills in the shape of Indian nationalism.

#### An Amendment.

Dr. Muhammad Alam (Punjab, Khilafatist), in moving an amendment proposing the deletion of the last portion of the resolution, said the resolution was really divided into two parts, both of which asked them to beg, leading them nowhere. He could, however, understand the sense of the first portion of the resolution, but the second portion, in his opinion, was meaningless. They should not welcome the Commission, as by sending an all-white Commission the British Government had insulted them. He would refuse to beg and accept as a gift even if the whole of India was given to him. (Hear, hear). They would not gain anything by bowing before the Commission and kissing the feet of its members.

Mian Shah Nawaz, Punjab, supporting the resolution said that he refused to believe that all Mussalmans were flatterers of the Government and possessed slave mentality. Mussalmans at times of need and crisis had sacrificed even their lives. What they wanted, the speaker continued, was that in framing a constitution for India the interests of the seven crores of Muslims must be safeguarded.

Raja Garnafr Ali Khan, (Punjab), supported the amendment and said he was entirely in favour of the first part of the resolution and did not believe that any Mussalman would oppose it, but the second part of the resolution wanted to divide them and raise a controversial issue. If the League was anxious to pass a resolution regarding the Commission, it could do so in the form of a separate resolution. The acceptance of the amendment did not prevent them from bringing a fresh resolution on the Commission and it would be still open to them either to welcome or boycott it. He had wired to Mr. Jinnah that the boycott question should not be brought forward at the Calcutta session of the League. He appealed to the audience not to be misled by the idea that because many prominent Mussalmans were present in the gathering, who were in favour of welcoming

the Commission, they should suspend their own judgment. They should not forget that equally capable and self-sacrificing Muslims had gathered in Calcutta to discuss this very question and they should not ignore their views.

Mr. Aurangzeb Khan (Frontier Province) said he knew full well that the Commission will not bring any special blessings for them, but if it was boycott the Muslim interests would suffer.

Mr. Anis Ahmad (Bombay) said that Muslims would not gain anything from Hindus, who treated their own brethren (the depressed classes) as untouchables.

Mr. Ali Bahadur Khan (Bombay) said for five years he was connected with the Khilafat and non-co-operation movements, but he could not understand the policy of Mr. Jinnah and the boycotters.

Mr. Mazhar Ali Azhar (Punjab) supported the amendment. He was sorry to see that they were all blaming the Hindus, but the fact was that more of their rights were taken away by the British Government than by the Hindus. Muslims would gain nothing by begging. The Sikhs in the Punjab got whatever they wanted by their determined agitation. He wished the Muslims had turned their attention to the numerous wrongs done to them by the British and had not blamed the Hindus.

Mr. Zafarulla Khan, (Punjab), said that if they wanted to end the British domination, either they should rise in an armed revolt or submit to a Parliamentary Commission. The first was not possible and, therefore, they should accept the Parliamentary Commission and submit their views before it, especially when the Hindus were doing active propaganda and placing their views before the British public in England.

Sheikh Hissamuddin (Punjab Khilafatist) supported the amendment and said that if the Mussalmans could stand on their own legs no power on earth could destroy them and there was no necessity for them to beg before the Commission at this stage.

Dr. Alam moved the closure of the debate, which was accepted by the president, but before he put the resolution to the vote the president wanted to speak on the resolution and said that by keeping away from the Commission they would invite an "ex parte" decree against them.

Chaudhri Afzal Haq, at this stage, rose to a point of order and asked whether the president, being chairman, could speak for the resolution.

Dr. Alam asked whether it was fair for the president to do so.

The president said he had every right to speak as he was not occupying the position there as Speaker of the House of Commons.

The amendment of Dr. Alam was then put to the vote and declared lost by the president.

Dr. Alam and Mr. Afzal Haq claimed a division. The votes were counted by provinces. It was found that Bengal, the U. P., Bombay, Delhi, and the Frontier Province were against the amendment and of the Punjab delegates 63 were in favour of the amendment and 101 against.

Dr. Alam challenged the counting of the Punjab votes. The president refused to recount the vote and declared the amendment lost and the original resolution carried, amidst loud applause. Confusion and uproar now followed, which continued for some time, and the Khilafatists, headed by Dr. Alam, left the hall shouting, 'Shame, shame' at the president and the organisers of the League.

#### Other Resolutions.

Order being restored, the following resolution moved by Mr. Yamin Khan were then passed unanimously.

"This meeting of the All-India Muslim League declares that neither the proposals formulated by some Muslims in their individual capacity at Delhi on March 2nd 1927, in their original form nor in their amended form as passed by the Congress at Madras are acceptable to the Mussalmans of India."

The following three resolutions were put from the chair and passed unanimously.

The first urged the introduction of constitutional reforms in the Frontier Province and Baluchistan, the second urged the separation of Sind from Bombay,

with a reformed constitution of its own, and the third appointed a committee of 27 members with Sir Muhammad Shafi, "ex-officio" member, to devise a scheme of constitutional advance and to collaborate with the committees appointed by other Indian organisations to frame a constitution for India on the principles adopted by the Lahore annual session.

Sir Muhammad Iqbal moved a resolution protesting against the existing arrangements whereby the Muslim community in Bengal and the Punjab was deprived of its majority rights in the provincial Councils, and urged the Government to remove this injustice done to the Muslims in 1921.

This was also passed unanimously. The League then adjourned.

#### SECOND DAY—1ST JANUARY 1927.

The All-India Muslim League reassembled to-day at 12-30 p.m. The attendance was thin and the Khilafatists were not present. The president read two messages, which he had received from Bengal. The first message, signed by ten Muslims of Calcutta, including Mr. A. H. Ghaznavi, Dr. Suhrawardy, Khan Bahadur Imdad-ud-din Ahmed, Deputy President, Bengal Council, Sahibzaba Ali Naqi and others, stated that Bengal opinion was behind the Lahore session and wished it success and asked Mr. Ghaznavi to move a resolution on the Statutory Commission. The second message was from four Bengal members of the All-India Muslim League, who regretted their absence but recognised the Lahore session and asked the president to count on their votes for the Statutory Commission.

#### Earmarking of Grants-in-aid for Muslims.

Dr. Shafaat Ahmad Khan moved the first resolution today, which asked the Government to earmark a reasonable share of the bonuses and grants-in-aid meant for various nation-building departments for the purpose of the Muslim community. He said his experience of the United Provinces and of the Mahomedans in other provinces was that a very large part of the grants earmarked for education was not spent on Muslim education. Whenever they had tried to ask for more money for Muslims they had been dubbed as reactionaries. Therefore they had no other alternative but to demand that the Mahomedans should be given an adequate proportion of grants, otherwise they would be deprived of those advantages which they were entitled to get from the Government.

Mr. Shuja-ud-din supported the resolution which was carried.

#### Round Table Conference of Muslim Leagues.

Mr. Masudul Hasan (United Provinces) then moved a resolution authorising the president to call a round table conference of Muslim Leaguers of all organisations to bring about unity of thought in political ideals amongst the Muslims of India and said they should make every effort to unite the various differing elements among Muslims. It was extremely unfortunate that they were so hopelessly divided especially at this juncture, when one set of resolutions was being discussed at Calcutta and another at Lahore.

Mr. Gul Mahammad (Punjab), seconding the resolution, said that their differences would be exploited by a third party and they would gain nothing from the Government if they went on fighting.

Raja Gaznafar Ali Khan rose to a point of order and asked the president whether it was relevant to the subject under discussion to refer to such incidents which took place outside. The resolution was passed unanimously.

#### A New Constitution for Muslim League.

Sheik Abdulla (United Provinces) next moved authorising the council of the All-India Muslim League to appoint a committee to draft a new and suitable constitution for the League as the present constitution had become quite out of date. The resolution was passed without discussion.

#### Election of Office-Bearers.

He next moved :—

"The All-India Muslim League hereby elects Sir Muhammad Shafi as its president, Sir Muhammad Iqbal as its general secretary and Maulana Hasrat Mohani

as joint secretary. The League also authorises the council to appoint joint secretaries for various provinces and make suitable arrangements for the collection and expenditure of the funds of the League and engage such paid servants or office-bearers as are necessary in the opinion of the council for carrying out the work of the League.

Mr. Ghaznavi (Bengal), seconding the resolution, paid tributes to the many qualities of head and heart of the president and said he had great pleasure in welcoming Sir Muhammad Shafi as president of the League. Turning to Sir Muhammad Iqbal, he said that Sir Muhammad Iqbal was not only known throughout India from the Himalayas to Cape Comorin but throughout the world. He had therefore equally great pleasure in seconding Sir M. Iqbal as secretary. Speaking about Mr. Hasrat Mohani, he said Mr. Mohani needed no introduction at his hands. When a man like Mr. Hasrat Mohani had come to their side after revising his previous opinion, it was a proof that there was right and reason on their side.

Mr. Fateh Mohammed (Bombay) supported the resolution.

Raja Gazanfar Ali Khan, (Punjab) opposed the resolution and said he could not understand how they would support such resolutions when they had appointed a round table conference to bring about unity among the various sections of Mussalmans. They could not ignore the fact that another All-India Muslim League was being held at Calcutta and that in the circumstances they should not adopt such a course. He had nothing to say against the personality of Sir Mohamed Shafi or Sir M. Iqbal, but they should not adopt this resolution in the name of the All India League. Mr. Jinnah was already the president of the All-India Muslim League.

At this stage, the president, interrupting the speaker, said 'No. Mr. Jinnah is no longer president. He had ceased to be president from June, 1927, when his term expired.' The president read the rules of the League on this point.

Sheikh Mohamed Sadiq (Amritsar) said he had been sitting as a neutral since yesterday and was watching all the discussions, but today's debate on this resolution compelled him to speak out his mind. He was pained to find that objectionable remarks were made by some members about Messrs. Jinnah, Ansari, Mohamed Ali and Abul Kalam Azad and that such speakers were not stopped by the president. When the Khilafatists were present in the hall yesterday all the supporters of the president were sitting quiet but today, taking advantage of their absence, they were in a merry mood and passing all sorts of resolutions. This reminded him of the proverb: 'When the cat is away the mice are at play.' He had met Dr. Kitchlew on Dec. 14 last at Amritsar, when the latter said that he had not resigned the secretaryship of the League. (Voices of 'No. no.') They should not take advantage of the absence of Mr. Jinnah, Dr. Kitchlew and other Muslim leaders from this session and appoint office-bearers. The time will soon come when they would have to meet in conference over the Statutory Commission and the framing of a constitution for India, when they would have to explain their action of today. If they appointed these persons today, they would have to face trouble at that conference. He asked Sir M. Iqbal and Mr. Hasrat Mohani not to accept the offices offered to them. After concluding his speech Mr Sadiq left the meeting.

That part of the resolution which related to the election of Sir M. Shafi was put to the vote by Sir Zulfiqar Ali Khan, chairman of the reception committee, and was carried amidst acclamation.

#### Calcutta Unity Conference Decision.

Mr. Hasrat Mohani moved the last resolution:

"This session records its sense of deep regret that the Hindus, as a community, should have rejected the decision of the Calcutta Unity Conference regarding the question of cow slaughter and music before mosques by means of unanimous resolutions passed at the All-India Hindu Mahasabha, the All-India Aryan Congress and now at the Madras session of the Indian National Congress in a form not acceptable to Muslims."

This resolution was passed. The session then concluded.

## C. P. & Berar Hindu Sabha Conference.

The Central Provinces and Berar Provincial Hindu Sabha Conference was held on the 6TH AUGUST in the Venkatesh Hall, Nagpur. The Chairman of the Reception Committee, in welcoming the delegates, pointed out the imperative necessity of the Hindu Sangathan and Sudhi movements.

Sir Sankaran NAIR took the Chair, on being proposed and seconded by Sir B. K. Bose and the Hon'ble Sir S. M. Chitnavis, Mr. Aney, and others. Sir Sankaran thanked the Nagpur people for having accorded him a rousing reception, and expressed that the splendid reception was not intended for him personally, but for the Hindu cause for which he came to Nagpur. He then delivered his speech. The following is the Presidential Address :—

I regard my election to preside over your Conference as a great compliment to me. As I do not belong to the Sabha, I shall proceed at once to tell you my reasons for supporting the Sabha in its essential activities as I understand them.

A few years ago our Mahomedan brethren were at a great disadvantage. They had not availed themselves of English education to the same extent as their Hindu brethren. They naturally therefore formed their associations to press claims, so that they may not suffer by the new reforms. We know advocates go often further than is warranted by the justice of the case. The Mahomedans' claims were pressed with a certain vehemence. They cannot be blamed for taking every legitimate step to secure their interests. The Government were only too willing to meet them half way. It is now acknowledged that the partition of Bengal was carried out to assist the Mahomedans. To meet the Bengalee agitation to set aside the partition the Mahomedans formed their Muslim League. Lord Minto acknowledged their claims to preferential treatment and his view was carried out in the reforms with which are associated the names of Lord Morley and Lord Minto. When the reforms were next taken up for consideration, the Hindus and Mahomedans entered into a pact known as the Lucknow Pact. There was therefore no Hindu-Mahomedan question. Soon after these reforms, Gandhi started his Non-Co-operation campaign. He brought about a co-operation between the Hindus and Mahomedans by the practical surrender of the Hindu rights to the Mahomedan Khilafat movement. He did not foresee the consequences nor did the Mahomedan leaders who were associated with him. The latter had accepted Non-violence for the period of the few months within which Gandhi had promised Home Rule. That period elapsed and three was, as everyone might have foreseen, no Home Rule. The Pan-Islamic consciousness, however, had been already stimulated. The uneducated classes of Mahomedans sought to compel the Hindus to admit their claims. Frightful riots were the consequence in Malabar and all over Northern India. This might have been foreseen. On the outbreak of war there was an attack by the Mahomedans who sympathised with Turkey, on the Hindus in south west Punjab and when Gandhi began his Non-Co-operation campaign which was followed by riots against the British Government, Hindu temples were attacked and destroyed though the Muslim leaders were then co-operating with the Hindus. Gandhi continued his subservient policy with the result that everywhere, the ignorant classes of Mahomedans advanced further claims in spite of their leaders; the Hindus were alarmed, the tension between the two classes became great, the gulf widened and finally Gandhi finding it hopeless to deal with the Hindu-Mahomedan question retired from the field altogether. His legacy, however, hampered his party and from that time forward the Non-Co-operation or the Congress Party have been crying for peace and unity but they have never succeeded in bringing about any agreement between the Hindus and the Mahomedans nor is it likely that they ever shall. Gandhi's successor, Mr. C. R. Das, entered into a pact the result of which was, according to Bengal politicians themselves, to embitter the feelings between the Bengal Hindus and Mahomedans still further. The following is an extract from a signed article by Prof. Ramesh Chandra Banerjee, published in the November number of "The Vedic Magazine" of Lahore :—"The stage of degradation which a demoralized community has reached can better be

imagined than described when that community failed, on every occasion of necessity, to protect its women. Yet this is the condition of the Hindus of Bengal. In spite of the resounding cries of 'Swaraj' and 'Hindu-Muslim unity,' in the midst of stirring lectures by our patriots (mostly Hindus) appealing to the spirit of independence and manliness of the people, the ineffective plans of our leaders for wrecking the Councils and snubbing the Government into submission are synchronising with the most effective schemes of Muslim goondas for the most brutal violation of Hindu womanhood in the villages of North and East Bengal. Great 'leaders' and famous editors are busy with lectures and articles on 'big' things, so that this trifling matter, viz., the honour and chastity of our mothers and sisters are left to the mercy of our living 'gods,' viz., the Muslims. How easy it is for Muslim goondas to kidnap Hindu girls (married and widowed) and how frequently these horrible outrages occur will be evident from the cases cited below, all of which happened within a short space of time."

And after giving numerous instances, he adds with reference to the pact of Mr. C. R. Das :—

"There are very many instances in which responsible Government officials of the Islamic persuasion have sheltered Muslim kidnappers, ravishers and murderers. Then fancy the lot of the weak, helpless and disunited Hindus, when 80 per cent of public posts will be reserved for Muslims, without any reference to their qualifications and competency, as provided in the Swaraj pact."

#### Need for a Hindu Sabha.

The Swaraj or Gandhi party have committed themselves to a line of action and to a policy which practically puts it out of their power to effect any reconciliation or to protect Hindus so far as it is in the power of an Indian political party to do so. It is essential in these circumstances that there should be a Hindu Sabh<sup>a</sup> to act and do for the Hindus what the Muslim League is doing for the Mahomedans. It is possible that dealing with each other the Hindu Sabha and the Muslim League might be able to come to some agreement. Otherwise judgment might go by default. It seems fairly certain that the non-co-operation or the Congress party is a broken reed to rely upon for this purpose. It is useless to put off this Hindu-Mahomedan question to the future for solution. Time only widens the gulf. The Congress journals at first maintained that if England is out of the way and Home Rule is granted the question may be settled between the Hindus and the Mahomedans : but the Mahomedans at once said and the Muslim League declared that unless their interests are safeguarded there should be no further reforms. After this declaration the old Swaraj cry has ceased. Gandhi's party are now prepared apparently to accept any conditions that may be laid down by the Mahomedan advocates. Anyhow it is not safe to leave our interests in their hands.

The Hindus have decided that joint electorates are essential for peace and harmony and certain Mahomedan leaders have recently made a very laudable attempt to bring out an agreement accepting joint electorates under certain conditions. It seems unnecessary to discuss the conditions as our Mahomedan brethren are not prepared to accept joint electorates under any circumstances. And it is quite possible that the Swaraj party will eventually accept the Mahomedan position of separate electorates and widen the gulf for years to come. To show the difference between the mentality of the Congress party and the Hindu Sabha I shall draw your attention to one of the conditions put forward by the Mahomedan leaders ; one of their conditions is that Sind should be constituted into a separate province, the reason of course being that it has a population of which the Mahomedans form the majority. On this the Congress passed the following resolution :

Resolution of the Congress :—

"In regard to the proposal that Sind should be constituted into a separate Province, the committee is of opinion that the time has arrived for the redistribution of Provinces on linguistic basis, a principle that has already been adopted by the constitution of the Congress.

"The Committee is of opinion that such a readjustment of provinces be



immediately taken in hand and that any province which demands such reconstitution on a linguistic basis be dealt with accordingly.

"The Committee is further of opinion that a beginning may be made by constituting Andhra, Sind and Karnatak into separate provinces."

The majority of the people of Sind are Mahomedans. They naturally demand Sind to be constituted into a separate province and the Congress in terms agree to the Mahomedan demand, without making it a condition even that the Mahomedans should agree to the general principle of redistribution of Provinces on a linguistic basis. But the more serious consideration is that they attach no weight to the opinion of Hindus in Sind before their fate is decided. The resolution of the Hindu Mahasabha is this :—

"The Mahasabha deprecated any attempt to constitute new Provinces or Legislatures for the purpose of giving a majority therein to any particular community. In the opinion of the Mahasabha the question of the creation of new Provinces should be considered, if necessary, independently of any proposals and exclusively on their merits."

The Mahasabha will be mainly influenced by the opinion of the Hindus of Sind. They have declared that they do not wish the separation of Sind as it would place them at the mercy of the Mahomedans which they do not like. It appears to me that this Sabha has to act on their view and repudiate the Congress resolution which disregards the Hindu interests. It shows the danger of the situation and the necessity of the Hindu Sabha to protect Hindu interests. The necessity of Sangathan will further illustrate this.

#### Necessity for Sangathan.

Let me turn to that aspect of our movement. It is said in the Bengal Administration Report 1925-26 :—

"The Khilafat agitation had fostered aggressive sectarian passions and had inculcated a disregard of law and order where it could be represented that the claims of religion were involved. Upon the abolition of the Khilafat, this exasperated communal consciousness remained; unable now to vent itself upon Government, it turned upon the rival community." This was so in Malabar, South-West Punjab and elsewhere.

What has been the consequence in Bengal? I am unwilling naturally to describe the situation in my own words. I shall refer to the Swaraj organ :

"The cases of the abduction of Hindu women in Bengal have become a matter of daily occurrence. Reports published in newspapers present before us the horrible outrages that are being perpetrated upon many a woman in Bengal. The East Bengal and the North Bengal specially are the centres of the nefarious activities of the hooligans and it is there that a good number of women become victims of the list of the goondas. Cases are almost daily reported of abduction, assaults and serious outrages on women from East Bengal and North Bengal. But I think, a good number of such cases does not come to light for fear of public scandal and shame. So the cases of outrages are far more greater and horrible than are reported and published in the columns of newspapers," writes Suniti Devi in "Forward."

"First, the goondas seem to carry on these abductions in an organised way and they have found that no attempts are being made against them either by the Government or the public. This has so much emboldened them that they are merrily going on with their business, and escaping the punishment that is due to them in such cases. Secondly, the women in most cases are so weak in physique that they cannot defend themselves against the onslaught of their enemies and thus fall an easy prey to the ravages of the goondas.

"But the public too has a duty towards the women. They have witnessed with perfect calmness the terrible oppression and read the reports of outrages without being affected, it seems, in the least. But does this callousness best the people of Bengal? Do not the brutal oppressions of our mothers and sisters touch their hearts? An 'emphatic no' seems to come from my heart. If they really felt for the unhappy souls they could evince it at least by some means or other. But the women have cried in vain for help. Their tears have not melted

the hearts of the people. They have been subjected to inhuman tortures but they seemed to have rone on earth to resist the goondas and to rescue them from the clutches of the lewd.

"Should it not inspire the youth of Bengal with the idea of putting an end to the organised outrages by the goondas?"

I ask why is this so. Is it not due to the fact that Gandhi and the Swarajists have entered into a pact with the Khilafat Party to fight the Government and they do not wish to do anything which may prejudice the Pact that they are allowing their women to be thus treated. This is the horrid result of the policy of Gandhis and Dases.

All this oppression in Bengal is facilitated by our caste divisions. This is what a Professor says in the signed articles to which I have already referred :

"But can we expect communal solidarity in a community which is divided into hundreds of water-tight compartments? When the Bania is attacked the Brahmin keeps aloof, when the Chamar and the Bairagi are victims of Muslim tyranny, the Kayastha and Baidya look on with indifference. There is only one section of the Hindu population of Bengal who know unity and can defend their women; those are Namashudras. These men, through their brave opposition to Muslim aggressiveness, have saved, in many places, not only their own women and hearth and homes, but the families of high-caste Hindus also. For had the tide of Muslim fanaticism and rowdism been allowed to surge on, unopposed, it would have swept off everything before it—Brahmins, Kayasthas and all others. Yet these Namashudras are regarded as untouchables?"

#### Objects of the Hindu Sabha.

This explains the Sangathan movement. In Bengal, the evil appears in an exaggerated form. But it exists more or less in various other parts of the country. The Hindu Sabha wishes to invite you all to assist them to protect the women from these outrages, to organise the Hindu society to make it an organism so that every part of it, every caste or class, may feel any injury inflicted on any one as an injury to itself. For that purpose the Hindu Sabha would remove all the restrictions that stand in the way of co-operation between classes, anything which is felt by any one as humiliating. I am not in a position to say and I do not think any one is in a position to state whether this object can be achieved throughout the length and breadth of India. In some parts of India certain classes approximate so much to one another that even fusion may be effected, while in other parts the differences between certain classes may be so radical that it will take a long time for the gulf to be bridged. The means will have to vary with localities, classes, men etc. But to me it is certain we can go a great way. Personally I would go further. The restrictions that now divide classes or castes cannot be justified in these days. Few of the four great castes perform their proper functions but they perform the functions of the other castes. There is no sense then in claiming the privileges without the performance of those duties. The Non Brahmin castes are generally speaking not disposed to recognize the rights claimed by Brahmins. Insistence on them will perpetuate dissension and discord. The non-caste Hindus are resolved not to submit to their position of inferiority and humiliation. A society far more conservative than ours, i. e., the Mahomedans of Turkey, have brushed aside all the religious obstacles that stand in the way of our progress. Religion is an institution intended for our moral progress and you may be certain that if it stands in the way of our moral progress, those rules of conduct must have been intended for other times, and conditions.

The Hindu religion has divided us Hindus into various watertight compartments. Those compartments are divided by rules imposed upon them for reasons which may have been sound in ancient days but many of them have no meaning at the present time. They appear, on the other hand, mischievous in these days when the castes or classes are not confined to the duties or functions of their caste. But for the violation of their rules, persons, families, groups of persons, classes have been put out of caste. Thus for instance for drinking in ignorance water from a well used by what is considered a lower class, persons

have been put out of caste. There are persons so treated who have not renounced Hinduism but retain their faith and veneration for the religion of their fathers. In my opinion, it is only right that they should be taken back into Hinduism.

Similarly there are persons who have been forcibly converted into Hinduism but who are still in faith Hindus and would willingly come back if we would receive them. I can see no reason why they should not be taken back.

Women who have been kidnapped or raped have not been received back into caste in Bengal and elsewhere, but have been put out of caste. They have to lead a prostitute's life, unless they are able to find protection in a Mahomedan household. It is urged that it is in the interests of women that they should be under the protection of a Mahomedan who would protect them against further indignity rather than with those who are not able to protect them. If their husbands or the other Hindu families would not receive them back or, in other words, if Suddhi is impracticable or impossible, I agree, and Hinduism that cannot protect its women had better disappear. That Hinduism is obviously not fit for Swaraj. I have been told by my friends that there is no possibility of a Hindu Moslem unity; if I am right in my views I say that unless that unity is desired by both and their good faith is shown not by declarations but by acts there is no use of seeking it. The proposals now before the public do not show a real desire for unity on terms of equality. Inequality which breeds discord will lead to subordination, humiliation and disaster.

#### Suddhi A Legitimate Movement.

Those who maintain that this should not be done are entirely ignorant of the past history of the Hindu religion. At one time Buddhism spread over a great part of India yet in those parties scarcely a Buddhist is now to be found. All of them must have been converted into Hinduism. Asoka sent his missionaries all over Asia and converted them all into Buddhism. For our purpose there is no difference between Buddhism and Hinduism. In Southern India there were thousands and thousands of Christians at one time. Their descendants are all Hindus. In Southern India inter-marriages between Christians and Hindus were common until legislation interfered with it; in fact such marriages were encouraged by the Roman Catholic priests in the hope that the Christian wife would persuade her Hindu husband to accept Christianity. And conversions and reconversions were the result. Entire communities were brought into Hinduism; their priests were recognized as Brahmins and made it possible to conform into a life acceptable to Brahmanism. And their Kings and fighting castes were made Kshatriyas. An Englishman highly respected by the Indian Mahomedans suggested to me that if we could recognize the Mahomedans as Kshatriyas we might be able to assimilate them and overcome all difficulties. In fact Hinduism has grown by assimilation and to say that we cannot accept outsiders is showing ignorance of the past. I agree that a community may discard any member whom it does not wish to continue in the community. But there is nothing to prevent persons so discarded from forming themselves into a community Hindu in faith or by being accepted by any community—Hindu, Buddhist or Jain; the Suddhi movement is therefore perfectly legitimate and will not be opposed by any Hindu who has any knowledge of our past.

#### Resolutions.

The Conference reassembled in the afternoon, and adopted resolutions (a) paying homage to the late Swami Shraddhanand (b) expressing the opinion that a spirit of retaliation would be awakened in the Hindus against the Moslem in consequence of the outrages committed by them in their antagonism to Shuddhi and Sangathan; (c) exhorting the Moslem leaders to take necessary steps against the commission of heinous offences, and requesting the Government to make a definite announcement regarding the playing of music along thoroughfares without molestations by others (d) regretting the Punjab Government's decision allowing a Mahomedan deputation against the judgment of Mr. Justice Dhillon in the "Rangila Rasul" case, (e) repudiating the Moslem demand for the stoppage of all music both in private and in public, by Hindus during the

Moharrum festival and (f) strongly recommending the immediate absorption of all sub-castes into their parent castes, and recommending inter caste marriages for the achievement of Sangathan and organic unity. The Conference then adjourned till next day.

Joint Electorates Approved.

The Conference reassembled on the 7TH AUGUST and adopted the following resolutions :—

Such Hindus as embrace Islam or Christianity and are reconverted should be taken back into Hinduism, and absorbed into their original castes.

The next motion called upon the Hindus to abolish untouchability, and recommended the taking of steps for its ultimate extinction.

The establishment of an orphanage, called the Shradhdhanand Wala, for helpless persons who fall into the "clutches of Christianity or Islam" was advocated by the next motion.

The Conference then passed a resolution accepting the proposal for Joint Electorates; and hoping that the Moslem community would resist the temptation of sordid communalism, as held out in the conditions foreshadowed by Mr. Jinnah; and expressing the view that the proposal for the separation of Sind should not be entertained, as it was based on the pernicious principle of creating a new province for the purpose of creating a majority of the Moslem community.

#### Frontier Administration.

The Conference declared that, in view of the fact that Baluchistan and the N. W. Frontier Provinces were the key provinces for the defence of India from external aggressions, so long as Indians had not trained for the defence of India, the Government should not interfere with the system of administration obtaining in those provinces; and opined that the introduction of Reforms into those provinces would be detrimental to the defence of India, and that the proposal of reservation of seats for the different religious communities would perpetuate the virus of communalism and thwart the growth of national patriotism.

Resolutions supporting the popularisation of the custom of remarriage of young widows in castes where it is prohibited by custom, pleading for the establishment of Akharas for providing training in physical culture, favouring the convening of a round table conference of Hindu leaders for settling the Brahmins and Non-Brahmin controversy were agreed to.

#### Other Resolutions.

The Provincial Hindu Conference further adopted resolutions strongly protesting against the writings of Khawaja Hassan Nizami of Delhi on Shivaji, congratulating Shashimohan Dey and Kharag Bahadur for saving the honour and virtue of Indian womanhood, and inviting the next session of the All-India Hindu Maha Sabha to this province.

The Conference was then dissolved.















